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Sketches of Old Marlboro

By D. D. McColl



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By D. D. McColl



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1912

1913
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INTRODUCTION

NONE will realize more completely than the writer already realizes, that the following sketches do not measure up to a high standard of literary or historical merit. They are intended to represent only the efforts of an amateur who has found diversion from the steady routine of business in the occasional study of local history. These articles, written at odd moments during the past five years, are the partial result of research and investigation respecting some of the early people and institutions of Marlboro County. They are now printed in a limited number, not for sale or profit, but in the hope that others may be induced to perform work in the field of local history, and to preserve facts not now recorded.

One of the melancholy truths impressed by the study of local history is that families scatter and disappear. The Deed Indexes and other records of Marlboro County, show in striking manner that families once numerous and prominent are now extinct in the county. In fact, it seems that in response to some natural law, family names constantly disappear from communities where they have been numerous and distinguished. The original grantees largely disappeared before the Revolution, and from 1785—the date that marks the commencement of Marlboro records—the tendency to disappear is marked and easily verified. These sketches deal almost exclusively with the names of individuals and families that are no longer borne by living men in Marlboro County—not because they were more important than those still represented in the county, but because they are no longer here. These sketches are recognized to be imperfect and fragmentary and are intended as a disinterested contribution to the history of the county, which deserves so much from the hand of a chronicler. Marlboro County owes much to the past. The material achievements of the county are great and have been chiefly exploited, but more important by far is the quality of the citizenship that has made Marlboro County. For every effect there is always a cause, whether it can be readily identified or not. Back in the early days may be sought the primary causes for the peaceful virtues which still characterize the county. The Welch Baptists, who founded and for many years dominated the county, stamped upon it their own salient qualities of industry,

piety and respect for the laws of God and State. The rugged pioneers from other States and the invaluable Scotch element brought additional strength to the new community, but the blended citizenship that resulted, exhibited, and still continues to exhibit, the powerful impress of that devoted band of Baptists who first confronted the dangers and difficulties of the new land. There in the forest primeval their simple lives glided on like the river by which they had settled, "darkened by the shadows of earth, but reflecting the image of heaven." There "beneath the murmuring pines, bearded with moss, these forefathers slumber." Their last resting places are unknown, unmarked and forgotten, but their influence is a visible and living force which still sways the destinies of their descendants.

D. D. McCOLL.

Bennettsville, S. C., January 15, 1916.

MASON LEE'S WILL.

It is natural for present day curiosity to turn to the pages of the past and endeavor to learn something of the lives of those who were once swayed by the same passions and animated by the same ambitions as today rule over the hearts of men. As the pioneers of most counties of South Carolina left but few written memorials of themselves and their times, the greater portion of local history has been buried in oblivion. The present generation, however, rejoices at the occasional opportunities which are offered to learn from the lips of tradition or the pages of musty records something of the things and people of the long ago.

Marlboro County, in common with many other communities, has irretrievably lost much of its priceless history connected with the revolutionary period. Likewise, many of her traditions of departed things and people, are becoming dim in the minds of men, and will soon be utterly forgotten, unless the fragments are rescued by the written record of today. Among the others is the history of Mason Lee, who was one of the most unique and peculiar characters that ever lived within the borders of this State. The oddities of this man's life were once known to many people, but today his memory is nearly forgotten. Fortunately, however, the judicial history of the State has preserved in the record of a remarkable legal controversy, those salient peculiarities of character which marked him out so distinctly among his contemporaries. The narrative of Mason Lee and his peculiar will is not of any particular historical importance, but it is instructive as showing how human character may be warped by youthful misfortune or physical shock. It is interesting, likewise, as showing the futility of human plans for the disposition of property and other worldly concerns after death. Mason Lee lived and died in Marlboro County nearly a century ago. His body now slumbers in old Brownsville Cemetery in a square brick grave marked by a marble slab. His name, rudely carved there, instinctively recalls those oddities and peculiarities which were so striking and unusual as to render him a local celebrity during life, and so effectually were they perpetuated by his last will and testament that they afforded the occasion for one of the most celebrated legal battles ever waged in this county or

State. He was a man of obscure and humble life, yet his distorted imagination conceived and executed the fantastic plan of making two great and sovereign States the sole objects of his testamentary bounty. South Carolina may point the finger of scorn at the witch trials which stained the history of the illustrious State of Massachusetts, yet, at a much later period, the great States of South Carolina and Tennessee became the beneficiaries and legatees of an humble citizen who undoubtedly passed a good portion of his life in the firm conviction that witches and evil spirits held unhappy empire over the mortal affairs of men.

It is related that Mason Lee was born in North Carolina about the year 1770, and was reared in good social surroundings and given the opportunity of fair educational advantages. He continued to reside in North Carolina until he was about thirty years old, and did not, according to the testimony of those who knew him then, manifest any symptoms whatever of the eccentricity of character for which he was afterwards noted. About the time he was thirty years of age he was shocked by lightning, and it is supposed that all of the peculiarities and eccentricities of his future life were largely attributable to this affliction visited upon him in his early manhood by the hand of Providence. Soon after this misfortune he moved into the State of Georgia, where he first began to develop the abnormal traits of character which afterwards became so marked. While residing in Georgia he was again visited by misfortune and underwent an experience which probably increased his infirmities of mind, and certainly was the cause of his removal to South Carolina. He killed a negro—under what circumstances, is not now known, but he became a fugitive from justice and fled to South Carolina. He settled in Brownsville Township, Marlboro County, where, despite his eccentricities, he succeeded in accumulating a large estate in land and negroes, and this is what he undertook to dispose of by one of the most remarkable wills ever written. He left everything in equal portions to the States of South Carolina and Tennessee, and particularly excluded his own relatives from the enjoyment of any of his property. The language he used, however, was almost stranger than his choice of two great and wealthy States as his beneficiaries, and the particular exclusion of his own relatives. He said: "It is my will and desire that no part nor parcel of my estate shall be enjoyed or in anywise inherited by either or any of my relations while *wood grows or water*

runs, and my executors are enjoined to contend with them either in law or equity to enforce this my will by employing the best Charleston lawyers at the expense of my estate *again, again and again*. And my executors are again enjoined to contend against any of my relations who may wish to have my estate or to defend this will so long as there is money enough left to fee the best lawyers in Charleston or in the States above mentioned."

The relations referred to by Mason Lee were some people named Wiggins and Taylor, who were probably his nephews and nieces. They were, at any rate, the nearest blood relations he had. As was to be expected, they immediately instituted legal proceedings to set aside the will, on the ground that Lee was of unsound mind. The executor, who was Robertson Carlos, Esq., was required to prove the will in solemn form. The case first came up before the Ordinary, William Easterling, at the residence of Samuel Townsend, on the 16th day of June, 1823, and was afterwards adjourned to Marlboro New Court House. The Ordinary admitted the will to probate and an appeal was taken from his decision to the Circuit Court, which was presided over at that term by Judge Thomas Waties. The case was heard anew before a jury, of which Samuel Wilds Gillespie was foreman, and the verdict was to the effect that Mason Lee was perfectly competent to make a will. The case was then carried to the Supreme Court, which affirmed the judgment of the lower court. It is quite likely that the Mason Lee will case is one of the first ever tried in the New Court House at Bennettsville. The county seat had recently been moved from the river to Bennettsville, which was a more healthy and accessible location. Imagination fails to depict the picture presented at the trial of this old case. The fame of it had gone abroad throughout the community and the opportunity of hearing such a case as the first one tried in the New Court House was one to be taken advantage of by all the people who desired to witness a great spectacle. The lawyers engaged in this case were men whose distinguished ability has never been surpassed in the judicial annals of the State. For the will appeared Josiah J. Evans and William Campbell Preston. The former, a native son of Marlboro, was afterwards a wise and pure judge, and at the time of his death, a United States Senator, high in the esteem of the nation. W. C. Preston was an orator whose fame and renown approached that of his distinguished kinsman, Patrick Henry, and afterwards, he, too, was elected to a

position in the United States Senate. Against the will appeared James R. Ervin, a distinguished lawyer of the Marlboro bar, Abram Blanding, one of the celebrated advocates of South Carolina, and William Harper, afterwards distinguished as judge of the Chancery Court of this State. Thus it will be seen that the executors heeded the solemn injunction of Mason Lee to employ the best legal talent available to defend his will. His relations likewise showed that they realized the necessity that was upon them to prepare for a great legal battle.

Macaulay, in his essay on the Warren Hastings trial, depicts, in his wonderful language, the dramatic setting of that great event in the history of the English Parliament. The trial of the Mason Lee will, while not surrounded with the same degree of pomp and splendor, surely must have been a spectacle to arouse the interest and curiosity of thronging masses of people who found little opportunity, in the poverty of their daily lives, to enjoy spectacular entertainments such as they knew this was bound to prove. The New Court House, erected in the midst of the primeval forest, was about to receive its christening as a place for the administration of justice by the trial of the case which had excited the interest and curiosity of all, and enlisted the talents of those who were then, and afterwards, distinguished for their ability, eloquence and wisdom. Presiding over the court was that judge now famous in South Carolina history, and who was then respected by the people for his professional attainments and endeared to them by the fresh recollection of his service as a Revolutionary soldier. The foreman of the jury entrusted with the trial of the case, bore the name of, and was related to Samuel Wilds, who was one of the most gifted and accomplished men ever born on Marlboro soil.

The testimony at the trial laid bare the peculiarities of Mason Lee, and showed such eccentricities as surely never existed before in a human being. It was shown that the Wiggins and Taylors were the relations of Mason Lee, and that he had no good cause for disliking any of them. It appeared that he had two natural sons who were twins, and that neither of them had given him any cause of offense. He was living with one of them at the time of his death, on the most amicable footing. "Although these two sons were twins, he claimed that he was the father of only one of them. He had formed a settled determination not to make a will in favor of any human being, and this arose from the belief that

if he did so, the legatee would wish him dead or otherwise injure him. He appeared to have no objection to giving property to those very relations whom he disinherited, provided the gift took present effect, and, therefore, could not be followed by the destructive wish of his death. He accordingly gave property to some of those very relations to whom he had such an invincible aversion to giving by will, and he offered to give Baker Wiggins a plantation for the consideration of seven pence. He labored under the further belief that his relations wished him dead in order to get his property, and for that purpose, to use his own language, "*they squibbed and darted and gummered him*"; that they used supernatural agencies, and that in various forms they bewitched him. He believed that all women were witches, and would not sleep on a bed made by a woman. He believed that the Wiggins were in his teeth, and to dislodge them he had fourteen sound teeth extracted, evincing no suffering from the operation. He had the quarters of his shoes cut off, saying that if the devil got into his feet he could drive him out the easier. He had holes cut on each side of his shoes so that if the devil came in on one side he could drive him out on the other. He always shaved his head close, as he said that in his contest with the witches they might not get hold of his hair. He had innumerable swords of all sizes and shapes, fifteen or twenty in the course of a year, which he was constantly altering. One of his swords was four feet long with two edges; another eleven inches wide by fourteen long, with a handle; they were made by a neighboring blacksmith to enable him to fight the devil and witches with success. In the day time, neglecting his business, he dozed in a hollow gum log for a bed in his miserable hovel; and at night, kept awake contending against the devil and witches. He fancied at one time that he had the devil nailed up in the fireplace at one end of his house, and had a mark made across his room over which he would never pass or suffer it to be swept. He would sometimes send for all of his negroes to throw dirt upon the roof of his house to drive off witches. He once performed a journey of several days and was within a half a day's travel of the place where he was to attend to important business, when at night, hearing the rats running in the loft, he got up, said the witches had followed him, and, abandoning his business, returned immediately home. He believed that he had conversed with God, and said that he had met Him in the woods, and

promised Him that if He would let him get rich, he would live poor and miserable all of his life. While he lived in the Pee Dee swamp he dwelt in a house worse than that occupied by any of his slaves. His bed was a split hollow gum log with one or two blankets in this gum. He would sometimes keep three or four razors and as many pistols. He had no chair or table in his house, nor dishes nor plates. He used a forked stick. His meat was boar and bull beef and dumplings, served up in the same pot in which it was boiled, placed on a chest, which answered for both table and chair. He drank his whiskey from a jug, having no tumbler. He would not drink out of a tumbler after another person, to avoid harm. His clothes were of his own make. They had no buttons. His pantaloons were as wide as petticoats without any waistband, and fastened around him by a rope. His coat was rather a cloak, and his overcoat a blanket with a hole cut through it to receive his head. His saddle was a piece of hollow gum log covered with leather, of his own make.

From the time he came to this State, which was some years before his death, the management of his property was most extraordinary. He had his plows and plantation tools made in remarkable shapes. He cut all the tails off his hogs and cattle close to the roots. He said the cows made themselves poor by fighting flies with their tails, but if they were cut off that the cows would get as fat as squabs. This was not a mere transient whim, for he acted on it uniformly, and always cut the ears off of his horses and mules close to the head. When he was away from home and purchased a horse he would instantly cut off his ears and mount him while he was still bleeding. He hoed his corn after frost; said it would grow out green again. He was never known to go to church. He took no interest in public affairs; never voted and was not required to do militia, patrol or road duty. His peculiar opinions, extravagances and follies were held and exhibited both when he was sober and when he was drunk. He states as his reason for leaving his property to the States of South Carolina and Tennessee, that they would be able to contend in law with the Wiggins'. In his will he also directed that his negroes should be hired out in Tennessee for a period of twenty-three years after his death, and he gave as his reason for this provision 'by that time the present generation of Taylors' and Wiggins' would pass away.' When his will was about to be executed, he sent many miles for a witness, although there were

many respectable and responsible persons present. The witnesses arrived about 9 o'clock in the morning and the will was already prepared and ready for signature. Lee would not sign it until all present declared that it was after 12 o'clock. His wearing apparel at the time of his death was appraised at one dollar."

The foregoing testimony reveals the remarkable peculiarities of Mason Lee and explains his fantastic method of disposing of his estate, which was considered a very large one for the times. The final end of this singular case showed the utter futility of all his plans. The estate was involved in protracted and expensive litigation, first in the effort of his heirs at law to declare the will null and void, and then arose the necessity of proceeding against the persons in charge of the estate to keep it from being squandered. Robertson Carlloss, who was the executor of Mason Lee's will, died and his executor assumed charge of the estate of Mason Lee. It became necessary to take proceedings against this second executor and appoint a receiver for the entire estate. The result of this litigation was, of course, to diminish to a large extent the original estate. Then the State of South Carolina, by legislation duly passed, vested its one-half share in the very persons that Mason Lee himself had been most anxious to exclude from any beneficial enjoyment of his property. By an act of the Legislature, passed in 1829, the South Carolina share was given in four equal parts to the Pennywell twins, the Wiggins heirs and the Taylor heirs. It is not definitely known whether the State of Tennessee received anything for its share or not. It is known, however, that the State of Tennessee sold all of its right, title and interest in the estate to Robert B. Campbell, so long a member of Congress from Marlboro County. In the light of subsequent developments, it would have been a great deal better for Mason Lee not to have made any effort to disinherit his relations. The States of South Carolina and Tennessee did not need the property and did not want it. A part of it, greatly diminished by reason of the litigation, finally fell into the hands of the Wiggins and Taylor families. In 1829, James R. Ervin was the Senator from Marlboro County, and inasmuch as he had been one of the attorneys engaged by the Wiggins and Taylor families to set aside the will, it is fair to presume that this legislation was due to his efforts. This disposition of the matter, however, was probably the wisest and fairest that could have been made, though

it was the disposition that the owner of the property had been at such great pains to prevent.

Thus ended the Mason Lee will case. It was the occasion of a great forensic contest in which some of the leading lawyers of the day participated. The precedent that was made and established in this case makes it a very difficult undertaking in South Carolina to set aside a will on the ground of mental incapacity. The fantastic disposition contemplated by Lee came to naught, for the generosity of South Carolina could not permit it to receive an estate belonging under the laws of nature to the kindred of this deluded man. Most of the property left after the expenses of litigation, the wastefulness of the final executor, and the partial distribution among the heirs fell into the hands of Robert B. Campbell by purchase. The oddities of Mason Lee lingered long in the traditions of old Bronwsville, and they are here sought to be preserved as an interesting part of the history of that ancient community.

BARON POELLNITZ.

One of the early celebrities of Marlboro County, whose name is not now known in the county, and whose descendants all live elsewhere, was Baron Poellnitz, as he was commonly known. While his career in this county was extremely short, covering perhaps less than ten years, and while he was not noted for any particular achievement of historical importance, yet the traditions concerning him cannot fail to be of interest, owing to the unique position he occupied as the only scion of the ancient European nobility who ever established a home in Marlboro County.

Very little information can be obtained respecting the birth place and early life of Baron Poellnitz. The tradition in this county has always been that he was a Polish nobleman who was moved by the same disinterested impulse that animated his more distinguished countrymen, Pulaski and Kosciusko, to offer their swords to the struggling American colonies. The tradition has been preserved in his family that he was Lord Chamberlain to Frederick the Great, of Prussia; that he served in the Revolutionary War under General Washington, and that in appreciation of his services, Congress granted him eighty acres of land in what is now the heart of New York City. No tangible evidence has as yet been found to substantiate any of these traditions, except as to the ownership of land in New York City. It would seem an easy matter to obtain some information respecting the rank and position of Baron Poellnitz in his European home and the causes and circumstances which led to his removal to America. So far, however, the writer has not been able to obtain any definite information regarding these points.

The first authentic record so far available of Baron Poellnitz, described an incident of his life in New York before his removal to Marlboro County, South Carolina. It seems that prior to 1788 he was residing in New York City, and the property he owned there lends considerable credence to the theory that he was grantee of lands which were owned by the new American Government.

Duer, in his "Reminiscence of an Old New Yorker," 1867, page 52, speaking of the procession celebrating the adoption of the Federal Constitution, says "That the first division of the parade

was a new invented threshing machine, conducted by Baron Poellnitz and other gentlemen farmers, in farmers' dresses, grinding and threshing grain." This parade took place July 23, 1788. This excerpt, from a contemporary record, is conclusive evidence of the fact that Baron Poellnitz was living in New York as early as 1788, and that he was then apparently interested in agriculture and its development.

Some time previous to 1790 a famous New York estate passed into the hands of Baron Poellnitz. Owing to the fact that it was previously owned by Lieutenant-Governor Andrew Elliott, the last British Governor of New York, there is considerable probability that it was granted to Baron Poellnitz as one of the confiscated estates. It is a well known fact that in South Carolina the property of Royalists and Tories was confiscated by the State Government after the conclusion of the war. It is probable that this same policy was adopted by the State of New York, and, if so, no property would have been more apt to be regarded as legitimately subject to the principles of the confiscatory Acts than the beautiful estate owned by the chief representative of the vanquished royal authority. The following quotation from Valentine's Manual of the Corporation of the City of New York, 1865, page 639, gives an authentic description of "Minto," which was afterwards owned by Baron Poellnitz. "The most notable edifice in that vicinity (Sandy Hill, at the upper end of Broadway) was that erected by Lieutenant-Governor Andrew Elliott on his estate, which he called "Minto." Mr. Elliott was a son of Sir Gilbert Elliott, Lord Chief Justice Clerk of Scotland. In 1764 he received the appointment of Collector and Receiver General of the province of New York, and established his residence in this city. In 1766 he purchased about thirteen acres of land, fronting on the Bowery Road, and afterwards made further purchases so that his estate covered about twenty-one acres, lying partly along the Sandy Hill road and extending to the Minetta water. He erected a handsome mansion and gave his estate the name above mentioned. In 1780 Mr. Elliott was appointed Lieutenant-Governor, and as such, in the absence of the Governor, administered the affairs of the province until the evacuation of the city by the British, when he returned to his native country. His wife was a Philadelphia lady and his daughter was married in this city in 1779 to Lord (afterwards Earl) Cathcart, then a major in the British army on duty in this city.

This estate became the property and residence of Frederick Charles Hans Bruno Poellnitz, commonly called Baron Poellnitz, who sold it in 1790 for the sum of five thousand pounds to Robert R. Randall, a merchant and ship master of this city. Mr. Randall resided on the property until his death in the early part of the present century. By his will, made in 1801, he established, principally on the basis of this estate, one of the most munificent charities in the country, for the support and maintenance of aged and infirm seamen, directing that a suitable edifice be erected and denominated "The Sailors' Snug Harbor," from which circumstance arose the name by which the property was known for many years. The buildings were, however, finally erected on the north shore of Staten Island, the cornerstone being laid August 1, 1833."

The additional quotation, taken from Smith's New York City in 1789, page 51, throws more light upon the connection of Baron Poellnitz with this beautiful and historical estate. "The most highly cultivated country place near the city was that of Baron Frederick Charles Hans Bruno Poellnitz, comprising twenty-two and a half acres of land, situated on the present Broadway, between Eighth and Tenth streets, the rear porch of the house being destroyed by the cutting through of Broadway. This place had been purchased in 1766 by Lieutenant-Governor Elliott, and by him was called "Minto," and in 1789 was devoted to fancy farming by Baron Poellnitz, who offered for sale in that year. The advertisement of it stated that it was about two miles from the city and abounded with a greater variety of the choicest fruit trees and flowering shrubs than perhaps any other place in the State, while it possessed the richest soil of any estate on Manhattan Island. In 1790 it was sold to Robert R. Randall for five thousand pounds, and by his will, in 1801, it was devoted to the purpose of the 'Sailors' Snug Harbor.'" The records, found in the Register's office, Hall of Records, New York City, show that on March 26, 1788, Baron Poellnitz purchased property from Arie Ryckman, as shown by deed in Liber 388, page 121, and that on the 5th day of June, 1790, he sold property to Robert R. Randall, as shown by deed recorded in Liber 46, page 212. In the absence of the description of the property, conveyed by the Ryckman deed, it is impossible to say whether or not it covered the "Minto" estate or whether Baron Poellnitz obtained it from others, perhaps the American Government. It is known, how-

ever, that the deed to Robert Richard Randall covered the "Minto" estate, formerly owned by the last Royal Governor of New York, and that this "Minto" estate, afterwards of immense value, became the foundation of the charitable devise to the old sailors.

The "Sailors' Snug Harbor," as above stated, was finally erected on the north shore of Staten Island, about August 1, 1833, but the source of the fund out of which the edifice was erected and which has enabled it to be maintained to the present time in splendid and extended usefulness, was the old "Minto" estate, first owned by Baron Poellnitz. A splendid description of this charitable institution was written by Sarah Comstock of New York City, in the following language: "As we enter the gate and walk up the path to the door we pass the monument and burial spot of Robert Richard Randall, that curious old bachelor who left his vast estate to found this institution. To our right, beyond all those scarlet flower beds, rises the statue of Randall, by Saint Gaudens, while, buried in Clute's old history of Staten Island, is a delightful account of that gentleman of a century ago, and how he came to endow a home for old and disabled seamen."

"There have been popular traditions to the effect that he was some sort of an adventurous pirate, cruising on the briny deep, plundering and even murdering to gain his greedy ends. Upon his deathbed the tale-tellers have related, he was seized with dire remorse, and thereupon bequeathed his all to charity. But Clute explodes these theories and relates the authoritative account of Isaac Bell, who had been foreman of the jury at the suit to break Randall's will—not a successful attempt."

"It seems that this Robert Randall was by no means a pirate, or even an adventurer, but a retiring old bachelor who lived in New York City. His father was Captain Thomas Randall, a daring privateersman, who had gained his immense wealth through years of sea-faring. He left his property to this son, Robert, who, in what is now the heart of downtown New York, lived a quiet and lonely life."

"He is strangely unremembered. Clute comments on the absence of any anecdotes about his life. But this much is known: when the time approached for him to die, he sent for Alexander Hamilton and Daniel D. Tompkins to prepare his will. When they had arrived he began, item by item, to lay before them his intentions."

"First, there were small legacies to various relatives. There were his gold sleeve buttons and a life annuity of forty pounds to go to his faithful housekeeper. He gave his gold watch and forty pounds down to his overseer. His servant was to receive twenty pounds down and his knee and shoe buckles. Clute draws an imaginary sketch of the bachelor as wearing 'his hair powdered and in a queue, and (himself) dressed in silk hose and breeches with silver shoe and knee buckles, and broad-flapped coat and vest.'"

"Then, having gone through a list of minor items, he stopped."

"But the bulk of your vast estate!" queried the lawyers."

"Randall frowned. "That's what I can't decide upon," he said. "What do you think about it?"

"Upon this Hamilton questioned him as to how he had amassed his property."

"It was my father's," Randall replied."

"And how did your father acquire it?" persisted the lawyer."

"By honest privateering," came the response."

"And then this idea occurred to Hamilton: The great thought of a home for weather-beaten and luck-beaten seamen, a fitting memorial to the father who had been one of them, and who had acquired his wealth upon the seas. The idea suited Randall to a tee, and thus another vision of that wonderful constructive mind of Hamilton's—the mind that visualized American industry and gave it birth in the mills of Paterson—was conjured into being. It took many years for the completion of the work. The institution was founded in 1801, but litigation delayed the laying of its cornerstone for thirty years."

"Once launched, however, it has sailed a smooth and prosperous sea. It opened its doors to forty-six inmates, and now accommodates nearly 1,000. Buildings have been added from time to time, and the Minto farm, which was Randall's Manhattan property, has grown in value so fabulously that the annual income from rentals amounts to somewhere in the neighborhood of \$400,000. This land lies from Fourth to Fifth avenue, and from Sixth to Tenth street."

The foregoing excerpt, taken from an interesting article written by Sarah Comstock, and appearing in the New York Times August 8, 1915, gives a very delightful description of Robert Richard Randall and the splendid charity created by him, chiefly from the proceeds of property received by him from Baron Poell-

nitz. Of course, the slightest familiarity with the business section of New York is sufficient to show that property lying between Fourth and Fifth avenues, and between Sixth and Tenth streets, must now be of enormous value. When it and its income of \$400,000 is compared with the stipulated purchase price, five thousand pounds, received for it by Baron Poellnitz, and especially when it becomes known that the five thousand pounds really represented swamp lands in Marlboro County, it becomes apparent that the old baron made a trade which probably turned out to be very much to his disadvantage. The tradition in this county has always been that he exchanged his New York property for that owned by him on the Pee Dee River, in Marlboro County. The intrinsic evidence of the deeds tends to confirm this tradition. The statement is above made that he conveyed "Minto" to Robert R. Randall June 5, 1790, for a consideration expressed in the deed of five thousand pounds. An old deed, recorded in the clerk's office in Marlboro County in Book AA, page 341, shows that on the same day, June 5, 1790, "Robert Richard Randall merchant of the City of New York, conveyed to Frederick Charles Hans Bruno Poellnitz, commonly called Baron Poellnitz, at present residing in the said city," 2,991 acres of land for a consideration of five thousand pounds; therefore it appears obvious, from the fact that the deeds were simultaneously executed and based upon the same considerations, that there was nothing more than an exchange of the New York property, owned by Baron Poellnitz, for the South Carolina property, owned by Robert Richard Randall. It would be very interesting to know what motives and influences induced Baron Poellnitz to agree to an exchange of property, which, viewed in the light of the century that has since passed, appears to have been such a disastrous financial venture. The record does not disclose any tangible hint as to the way in which the Marlboro property came to be acquired by Robert Richard Randall, further than the fact that it was conveyed to him by William Alston, who was a Georgetown planter owning large tracts of land in Marlboro County, and was the father of Joseph Alston, afterwards Governor of South Carolina, from whom, so the records state, William Alston received this tract of land by conveyance. It seems to have been originally granted to James Maxwell in 1736, by him conveyed to Robert Hunt and conveyed by William Parker and Robert Quash, executors of the last will of Robert Hunt to Joseph Alston, and by him to Wil-

liam Alston. Of course, it is possible that this Joseph Alston was not Governor Alston, but some other member of the family bearing the same name. It would be interesting to know the social or business connection which brought about the sale of this land by William Alston to Robert Richard Randall. It may have been that old Thomas Randall, as a sea-faring man and privateersman, was frequently in Georgetown, and that in this way some connection sprang up between his son and the Alston family, which was even then one of great social and business prominence in this section of South Carolina. It may be that the connection with Randall arose in New York by reason of the well known affiliation of Governor Joseph Alston with the social life of that city. It will be recollected that it was he who married Theodosia, the only child of Aaron Burr. Her life closed in a mysterious tragedy of the sea, which has never been cleared up by time. The pathetic picture of the broken-hearted and unfortunate father peering out to sea for the return of the idolized daughter is one whose mournful beauty has been frequently told.

The two witnesses to the deed from Randall to Poellnitz were William Livingston and Brockholst Livingston, both of whom were highly distinguished characters in American history. The former was then, or afterwards, Governor of New Jersey, and had been a delegate to the first Continental Congress in 1774. His wife was a daughter of the Revolutionary general, Schuyler, and his daughter became the wife of John Jay, Chief Justice of the United States. Brockholst Livingston was a son of Governor William Livingston, of New Jersey, and was also a Justice of the Supreme Court of the United States. The deed was probated on the 9th day of June, 1790, before Richard Morris, who describes himself in his certificate as Chief Justice of New York State. There is also appended to it a certificate signed by Judge Aedanus Burke, of South Carolina, to the effect that Richard Morris, Chief Justice of New York, in his presence, attached his certificate to the said deed. Thus, it will be seen that one of the deeds closing out this transaction was executed in the presence of some of the most distinguished gentlemen of New York State, and that either by chance or design, a South Carolina judge was present at the conclusion of the transaction and participated therein. All of these circumstances indicate that this trade was out of the ordinary, either by reason of its intrinsic importance, or on account of the social position of those who were concerned in it.

The true explanation will perhaps never be known with certainty, but it is not improbable that Baron Poellnitz, as a foreign nobleman who had volunteered his services in aid of the struggling colonies, occupied a position in New York of unique and romantic distinction, and that he was constantly associated with the most prominent citizens of that community. Thus, in this transaction, involving perhaps the necessity of legal advice, it was natural that he should turn to the distinguished lawyers with whom he was probably on terms of daily intimacy. It is rather difficult to account for the presence and participation of Aedanus Burke, a South Carolina judge, unless it be supposed that he had in some way been instrumental in inducing Baron Poellnitz to become a citizen of South Carolina. Many traditions and stories yet preserve the quaint characteristics of this witty Irishman, who, after coming from the West Indies to serve as a volunteer in the American army, was elected as one of the first judges in this State in 1778. It is stated that he was an irrepressible politician and a strong anti-federalist. While he was a judge he also served as a member of Congress, and when the government was first organized under the Federal Constitution, he was elected to the United States Senate. In fact, the law now of force prohibiting a judge from leaving the State without permission granted by the Chief Justice, is said to have had its origin in an Act of the Legislature passed to prevent Judge Burke from taking his seat in Congress. It is probable that the original Act required the consent of the Legislature. There is probably little doubt of the fact that Judge Burke was not only a political follower of Colonel Aaron Burr, but that he was on terms of close friendship with that distinguished citizen of New York. It is stated that on one occasion Judge Burke was serving as Colonel Burr's second in a duel, and that in loading the pistol, the customary duty of the second, he did not ram the bullet down on the powder. Colonel Burr, who observed this, protested against it, as the pistol could not shoot in that condition. Judge Burke, in his typical Irish manner, replied: "Never mind, colonel, don't bother, the gentleman is waiting on you now, and the next time I will grease the patching."

Owing to the relations that are known to have existed between Colonel Burr and the Alston family of South Carolina, who owned this tract of land, and to the fact that another intimate friend of Colonel Burr's was present in the person of Judge

Burke, it is perhaps not unreasonable to suspect that the influence, either of the Alstons or of Colonel Burr, carried Judge Burke to New York at the particular time this trade was to be consummated.

The foregoing recitals give the few known facts respecting Baron Poellnitz prior to the time he moved to South Carolina. It is impossible to refrain from some speculation as to the circumstances which brought about a land trade in which so many distinguished men appear to have participated and the result of which was to divest a distinguished foreigner of property which afterwards became immensely valuable, and to bring him to spend his few remaining years in a lonely and primitive community. The lands acquired by Baron Poellnitz were then, and are now, swamp bottoms, whose value, as compared to that of "Minto," is nothing. It is impossible, in the absence of more facts regarding the transaction, to understand upon what theory Baron Poellnitz was willing to exchange a highly cultivated estate, even though it was small, situate in or near the city that was even then almost the metropolis of America, for a large tract of swamp land, which even at the present time, has practically no market value. It is, of course, possible that Baron Poellnitz was not informed as to the real character of the land he was about to acquire, or he may have believed that it was capable of being developed into a vast landed estate, which, when stocked with slaves, would be more commensurate with the dignity of his birth and social standing, than the small tract in New York containing less than twenty-five acres. The circumstances that surround this remarkable trade are now shrouded in an obscurity, which modern curiosity cannot penetrate. A plausible theory might be that Baron Poellnitz had left the old world for the purpose of escaping its artificial society and convention, and that he gladly seized the opportunity of building a new home for himself in the solitudes of the South Carolina forests. A few glimpses above given of his life in New York do not indicate that he was a man of peculiar or eccentric type, nor do the traditions of his sojourn in Marlboro County disclose any of the qualities which are generally associated with the hermit disposition. Baron Poellnitz, so far as the available evidence shows, was a normal man, fond of society and deeply interested in the study and development of agriculture. There is probably small doubt of the fact that he considered that he was making a trade which

would enable him to effectuate the chief objects he had in view; that is, of farming upon a large scale and working out upon a rich, virgin soil the problems of agriculture. Whatever may have been the cause of, and the circumstances surrounding his removal to South Carolina, he came some time after 1790 and before 1792.

According to tradition, Baron Poellnitz came up from Georgetown to his new home and transported his household property in a large boat. No signs remain of his habitation, but his plantation, or a part of it, was then and is now known as "Ragtown." The origin of this name is not known, but it is probable that it was applied to the plantation before its purchase by Baron Poellnitz. In fact, it has been stated by those who live in the vicinity, that the old baron was led to believe by the name of his proposed purchase, that it was a seat or near the seat of a town already laid out, and that one of his objects was to engage in commercial pursuits. If any design was ever entertained by the baron or his predecessors to build a town upon this spot, it was never realized, for the place remains to this day a swampy waste in which no white men dwell. It is a well known fact that there was a prominent family in South Carolina bearing the name of Wragge before and after the Revolutionary War. The records of Marlboro County disclose the fact that members of this family living in Georgetown, owned land in Marlboro County, but there is nothing to indicate that any of the lands acquired by Baron Poellnitz were ever owned by members of this family. Whether some early promoter beheld the vision of a town upon this spot and named it before it took form in honor of the Wragge family and the name afterwards became corrupted into Ragtown, or whether the name arose from some other association, tradition does not disclose. Some time before the year 1792, Baron Poellnitz, his family and his possessions, were conveyed by boat from Georgetown to the new home at Ragtown, in Marlboro County. He soon acquired other land in the vicinity. On March 17, 1792, he purchased from George Herriott and his wife, Sarah, of Georgetown, 487 acres, being part of a grant to John Newberry in 1776, and bounded by lands granted to John Newberry, Andrew Stan, Roger Pouncey and Aaron Pearson. He purchased Caney Island, containing 76 acres, from Moses Pearson, to whom it had been granted by Governor William Moultrie in 1785. It is also probable, though there does not appear to be any record of the fact, that Baron Poellnitz himself became the grantee of other tracts

of land from the State of South Carolina. In those days land was very cheap—much of it was “vacant land,” as it was called, and a grant for it could be easily obtained.

Nothing whatever is known of the domestic life of Baron Poellnitz prior to his arrival in Marlboro County. It is not known whether he brought his first wife with him or whether she died subsequent to his arrival. There is probably no doubt of the fact that all of his children, whose names are now known, were born of a marriage contracted before his removal to Marlboro County. But as to the name and antecedents of this first wife, nothing is known. Baron Poellnitz had four children. The sons were, Charles, Alexander and Julius. The daughter was named Wilhelmina Amelia Charlotte. Charles Poellnitz is said to have died early in life, without being married. Alexander died unmarried. Julius married Elizabeth Rogers, a daughter of Colonel Benjamin Rogers, one of the most prominent citizens of Brownsville at that time. Wilhelmina Amelia Charlotte Poellnitz, according to the voice of tradition, was a very beautiful and accomplished lady. Considering the fact that she was married three times, it is safe to assume that the traditionary account of her beauty and charm of manner was founded in truth. She first married a gentleman bearing the name of Stewart, but no information has been obtained respecting this first husband. There is small doubt of the fact that a family of Stewarts lived in Brownsville about that time. Her husband may have been Charles Stewart, who died in the year 1793. Two sons were certainly born of this marriage, one named Charles Frederick Stewart and the other William Alexander Stewart, both of whom were minors in 1803, when she, as a widow of Colonel Thomas Evans, and in anticipation of her third marriage with Robertson Carloss, Esq., conveyed to her two sons certain personal property. Her second husband, Colonel Thomas Evans, was probably a man of considerable means for his time, and was also probably far advanced in years when this marriage was celebrated. Colonel Thomas Evans was a man of prominence and wealth. He had served as a soldier of the Revolution, a member of the Legislature, and was the father of Judge J. J. Evans, afterwards highly distinguished in the public affairs of South Carolina. An old marriage license, which is a curiosity within itself, recorded in the office of the Judge of Probate, shows that Colonel Thomas Evans and Wilhelmina Amelia Charlotte Stewart were married

by the Reverend Joshua Lewis on the 25th day of March, 1800. If the happy bridegroom on this occasion was Colonel Thomas Evans, the elder, he did not long enjoy matrimonial bliss, for the records show that he died prior to November 12, 1800. There is probably little room to doubt that this is the same Thomas Evans who married Mrs. Stewart, for the reason that Baron Poellnitz qualified as one of the administrators of his estate. Then, too, an additional circumstance is that another Thomas Evans, who was evidently Colonel Thomas Evans, the younger, married November 1, 1803, Rebecca DeWitt. The marriage license given to him by Joel Winfield, Esq., ordinary of Marlboro County, is also to be found recorded in the office of the Judge of Probate. It is not easy to establish the date of the third marriage of Wilhelmina Amelia Charlotte Evans to Robertson Carloss, Esq. It probably took place about June 7, 1803, for on that date Robertson Carloss relinquished all further claims that he might thereafter be entitled to in certain personal property which Mrs. Evans conveyed to her two sons, Charles Frederick Stewart and William Alexander Stewart. Robertson Carloss was a man of considerable prominence in the early history of the county. He is supposed to have come from Virginia about 1790, and it is probable that he was at first, and for several years, a merchant at Carlisle, the old court house town. He was there in 1817, and conducted business both under the name of Robertson Carloss & Co. and Coggeshall & Carloss. He seems to have held several positions of honor and trust. He was deputy clerk of court and was also elected coroner as early as March 5, 1796. He was for a long time the Magistrate of the Brownsville community, and, as such, exercised a wide influence. He is supposed to have been the writer of the last will of Mason Lee—one of the most remarkable documents of that character ever penned in South Carolina. About the year 1818 he was elected to the State Senate and served for one term. He died about the 5th day of January, 1827, for on that date his last will was probated. In this instrument he stated that "it has been my lot in life, through unforeseen contingencies, not to realize more than a sufficiency, if that much, to pay all my just debts." He had a daughter who married Benjamin David, and a son, Robertson A. Carloss, who was admitted to the practice of law in South Carolina in 1831. It is not known whether these two children were born of the marriage with the daughter of Baron Poellnitz, nor is anything known of their sub-

sequent career. It is probable that they both moved to other States. The Carloss name is now extinct in this State.

There is probably little doubt that Baron Poellnitz, either before or after his arrival in Marlboro County, married the second time a widow named Elizabeth Bayzley. A deed dated October 22, 1803, shows that she conveyed to her son, James Bayzley, a youth of seventeen years, certain lands described "as second quality river land," which she had inherited from the estate of her late husband, Baron Poellnitz. The Bayzley name, with the exception of these two individuals, has never been known in Marlboro County, and it is, therefore, just as likely that she married Baron Poellnitz before his arrival as it is that the marriage took place subsequent thereto. Elizabeth Poellnitz, after the death of Baron Poellnitz, married Thomas Hodges. A deed dated December 13, 1809, recorded in Book GG, page 113, shows that on that date she was the wife of Thomas Hodges. Julius and Alexander Poellnitz, the sons of the baron, continued to live on the lands inherited from their father until about the year 1838, when, along with many other Marlboro families, they joined the tide of emigration that was flowing southward and westward. This family went to Marengo County, Ala., the same county which also received the family of Charles Irby, of Brownsville. The Poellnitz family, in considerable numbers, still continues to reside in Alabama. It is a great disappointment not to be able to know more of the family and descendants of the beautiful Wilhelmina, who was so many times sought in marriage, and the charm of whose personality has been preserved in tradition.

Robertson A. Carloss, a son of Robertson Carloss, seems to have married Louisa Covington, a daughter of Henry H. Covington, for on the 14th day of January, 1830, a marriage agreement was entered into between them. The trustees, to whom the property of Louisa Covington was conveyed, by the terms of this deed, were Charles A. Poellnitz and John J. Stubbs. It is likely that Charles A. Poellnitz was a son of Julius Poellnitz. There is probably no doubt of the fact that Baron Poellnitz was a cultivated and educated man. He was interested in scientific studies, especially in their relation to agriculture. In the author's possession are three old books which appear to have belonged to Baron Poellnitz. Two of them, "Annual Registers" for the years 1775-1778, have a few notes in his handwriting showing his intelligent interest and appreciation of the scientific section of this book.

The other book is an old copy of the Public Laws of South Carolina, containing the autograph of Baron Poellnitz. It has been stated that his name, before coming to America, was Von Poellnitz, but there is no indication of his ever using "Von" after his arrival in America.

The old baron spent the few years of life left to him, after his arrival in Marlboro County, on his Ragtown place. It has been said that while he was still living, a traveler from New York informed him of the great increase of value in the land he had owned there, and advised him to make an effort to recover it. His reply, according to tradition, was: that "the value of the land had been increased by the increase of population, and that as he had not caused that, he had no right to claim any benefit from it." It is said that he brought to Marlboro County many strange seeds and plants and that he endeavored, by experimentation, to develop agriculture along new lines. The tradition in Marlboro County is that it was he who first introduced nut grass, which has since grown to be one of the sore trials with which farmers in this section have to contend. Bishop Gregg, however, stated that nut grass was growing on the Ragtown plantation while it was owned by William Alston. When Baron Poellnitz realized that his time had come to die, he conjured his friends not to permit his body to be buried until red-hot irons had been applied to the bottom of his feet. Further, that an oak tree should be planted at the head of his grave in order that the dust of his body might be drawn up into it and thus not be found upon the day of the general resurrection. Whether there is any basis of fact for these old tales which have persisted in community gossip, no one now knows, but only a few years ago the old people of the community pointed out a majestic oak as the one that had been planted in obedience to the dying injunction of the old baron. Beneath its protecting boughs, amid the silence and solitude of a primeval swamp, slumber the earthly remains of this unique and romantic character of the long ago. The cause of his removal from his native land we do not know, but in the virgin soil of the new world he planted strange seeds and devoted his trained intelligence to the problem now of so much importance to mankind—the development of agriculture.

NOTE—The following facts are taken from a book entitled "The Descendants of Colonel Alexander McAllister, Etc.," written by Rev. David McAllister:

Elizabeth Rogers, daughter of Col. Benjamin Rogers of Marlboro County, married Julius Poellnitz, son of Baron Poellnitz.

Issue :

1. Charles Augustus, born 1807, died 1891.
2. Julius Edwin, M. D., born —, died 1875.
3. Margaret Elizabeth, born 1817, died 1865.
4. Benjamin Bruns, born 1822.

General Charles Augustus Poellnitz married Mary Peay of Fairfield County, S. C.

Issue :

1. Mary Euphradia, born 1833, died 1863.
2. Eliza Rosalie, born 1835, died 1881.
3. Ellen Florence, born 1839, died 1893.
4. Charles Augustus, Jr., born 1840.
5. Ida Celeste, born 1841, died 1850.
6. Caroline DeBondely, died infancy.
7. Josephine DeBondely, born 1844, died 1882.
8. Stella Octavia, born 1848.
9. Julia Wilhelmina Brandenstein, born 1849.
10. Evie Ludwig, born 1853.

General Charles Augustus Poellnitz was born September 1, 1807, in Marlboro District, S. C.; graduated at South Carolina College; studied law with Hon. W. C. Preston; removed to Linden, Marengo County, Alabama, in 1835. . . . He died January 25, 1891. . . .

Julius Edwin Poellnitz, M. D., married Mary Rembert.

Issue :

1. Julius Rembert.
2. Edwin Augustus, born 1832, died 1865.
3. Mary L. Poellnitz, born 1837, died 1838.
4. James Alexander Poellnitz, born 1840, died 1865.
5. Mary Elizabeth Poellnitz, born 1840 (?), died 1893.
6. Sidney Caleb Poellnitz, born 1840.
7. Sarah Louise Poellnitz, born 1846.
8. Julia Ann Irby Poellnitz, born 1848.

The above is only part of pedigree given in Rev. David McAllister's admirable book.

THE THOMAS FAMILY.

The Thomas family of Marlboro County and the adjoining counties in North Carolina seems undoubtedly to be descended from Christopher Thomas, who emigrated from Caermarthen, Wales, about the year 1640 and settled in Talbot County, Maryland. In 1638 he was elected as one of the two members of the House of Burgesses for Kent County, which was a high honor when it is considered that it was not only the first legislative assembly, but also that Kent County comprised the entire Eastern Shore of Maryland at that time. Christopher Thomas married a widow named Elizabeth Higgins. Their only child was a son, Tristram Thomas, who also seems to have been a man of local prominence for he was appointed a commissioner to improve trade in Talbot County in 1685.

Christopher Thomas, emigrant, m. Elizabeth Higgins.

Issue:

Tristram Thomas m. Anne Coursey.

Issue:

- 1^a. Thomas Thomas, m. Elizabeth.
2. Christopher Thomas.
3. Tristram Thomas.
4. William Thomas, m. Jean.
5. July Thomas, m. John King.
6. Stephen Thomas.
7. Four other daughters, names unknown.

- 1^a. Thomas Thomas, m. Elizabeth.

Issue:

1. Edmond Thomas.
- 2^a. Tristram Thomas, died Feb. 11, 1746.
3. Thomas Thomas.

- 2^a. Tristram Thomas, second son Thomas and Elizabeth Thomas.

Issue:

1. Penelope Thomas, born Feb. 9, 1699; m. Jarman.

2. Juliana Thomas, born August 20, 1703.
- 3^a. Stephen Thomas, born May 28, 1705; m. Mary.
4. Anna Thomas, born March 10, 1708; m. Jarman.
5. Tristram Thomas, born March 26, 1710.
6. Simon Thomas, born July 10, 1712.
7. Sarah Thomas, born Feb. 18, 1714.
8. William Thomas, born Nov. 30, 1717.
9. Philemon Thomas, born Dec. 19, 1720.
10. Benjamin Thomas, born March 10, 1725.

- 3^a. Stephen Thomas, third son of Tristram Thomas (2^a), m. Mary.

Issue:

1. Sarah Thomas, born Nov. 29, 1731.
- 2^b. Robert Thomas, born Sept. 26, 1733.
- 3^b. Stephen Thomas, born May 25, 1736.
4. Mary Thomas, born July 17, 1738; m. Primrose.
- 5^a. William Thomas, born Jan. 31, 1741.
- 6^a. John Thomas, born June 16, 1743.
7. Susan Thomas, born Oct. 31, 1745.
8. Elizabeth Thomas, born March 18, 1747.
9. Lewis Thomas, born May 10, 1750.
- 10^a. Tristram Thomas, born July 28, 1752.
11. Philemon Thomas, born July 31, 1754.
- 12.^{4b}. Benjamin Thomas, born July 18, 1756.
- 13.^{5b}. James Thomas, born June 25, 1758.

- 2^b. Robert Thomas, 1st son Stephen Thomas (3^a), m. Mary Sands of Virginia and emigrated to Marlboro County about 1750.

Issue:

1. Tristram Thomas, born Aug. 24, 1757; died 1767.
2. Elizabeth Thomas, born Dec. 12, 1759.
- 3^c. *Nathan Thomas, born July 22, 1762; died Sept. 27, 1842.
4. Sarah Thomas, born July 12, 1765; died Sept. 27, 1842.
- 5^c. John Thomas, born May 6, 1768; died May 15, 1834.
6. Lucy Thomas, born May 12, 1770; m. Covington.
- 7^c. Robert Thomas, born April 26, 1773; m. April 18, 1847.
- 8^c. Elijah Thomas, born March 28, 1775; m.
- 9^c. William Thomas, born July 25, 1777; died Oct. 4, 1835.

*A Revolutionary soldier.

10. Jesse Thomas, born March 12, 1780.
11. Eli Thomas, born Jan. 21, 1783; died 1854.
12. Benjamin Thomas, born Feb. 19, 1786; died 1815 or 1816.

5^a. William Thomas, 5th son Stephen Thomas (3^a), was born, as shown above, January 31, 1741; died in 1800, and is buried near his place of residence, two miles southeast of Blewits's Falls, Richmond County, N. C. Was a man of considerable prominence in his day. Served as a member of the Continental Congress of North Carolina in 1774 and 1775. Probably married twice. Name of second wife, Rachel Roe. This William Thomas was distinguished from other men bearing same name by the nickname of "Ram Billy."

Issue:

- 1^k. William Thomas, born in 1762; died in 1834.
2. Esther Thomas, born in 1763; m. H. J. Thomas.
3. Stephen Thomas, born in 1765.
4. Elizabeth Thomas, born in 1767; m. Henry Thomas.
5. John Thomas, born in 1769.
6. Henry Thomas, born in 1770.
7. Nathan Thomas, born in 1772.
8. Sarah Thomas, born in 1773.
9. George Thomas, born in 1774.
10. Rachel Thomas, born in 1776.

6^a. John Thomas, 6th son of Stephen Thomas (3^a), was born, as shown above, June 16, 1743; probably moved West in 1776, and became ancestor of a large family in Ohio, Indiana and other States. Married Molly Clark, daughter of Francis Clark, son of Isaac Clark.

Issue:

1. Isaac Thomas, m. Rachel Knight.
2. John Thomas, m. Lydia Sneed.
3. Bettie Thomas, m. Moses Mendenhall.
4. Mary Thomas, died two years old.
5. Rebecca Thomas, died two years old.
6. Elijah Thomas, m. Susannah Sneed.
7. Stephen Thomas, m. Hannah Mendenhall.
8. Francis Thomas, m. Lydia Woodward.
9. Benjamin Thomas, m. Anna Moorman.
10. Christian Thomas, m. Thomas Knight.

11. Susannah Thomas, died young.
12. Sarah Thomas, m. Charles Baldwin.

10^a. Tristram Thomas, the tenth son of Stephen Thomas (3^a), was born, as above shown, July 28, 1752; died September 3, 1817, and is buried at old Saw Mill Church in Marlboro County, S. C. His career was useful and distinguished. Appended will be found a sketch of his life by D. D. McColl, of Bennettsville, S. C. His first wife was Mary Hollingsworth. His second wife, Anne Pledger; his third wife, Mary Harry.

Issue:

1. Robert T. Thomas.
2. Joseph Thomas.
3. Elizabeth Thomas, m. Joseph Burch.
4. John Thomas.
5. Tristram Hollingsworth Thomas.
6. James C. Thomas, Clerk of Court, Marlboro County, S. C.

3^b. Stephen Thomas, third son of Stephen Thomas (3^a), was born, as above shown, May 25, 1736, and probably is ancestor of issue hereinafter named. Though it is possible that said issue may be descended from one of the other two sons of Stephen (3^a), to wit, Benjamin (4^b), or James (5^b).

Issue:

- 1^c. Daniel Thomas, m. Mary Covington, Richmond County, N. C. Died about 1810 or 1825.

3^c. Nathan Thomas, second son of Robert Thomas (2^b), was born, as above shown, July 22, 1762. Died September 27, 1842. Married first to Nancy Bingham, April 3, 1783; second, Celia Stuart, June 1st, 1811.

Issue:

1. Nathan B. Thomas, born Oct. 4, 1785.
2. John P. Thomas, born Dec. 18, 1787.
3. Elizabeth Thomas, born April 26, 1795; died July 31, 1825.
4. Lewis Thomas, born Aug. 11, 1796.
5. Anna Thomas, born Jan. 9, 1799.
6. Joel Thomas, born July 25, 1801.
7. Philip Thomas, born Feb. 18, 1805.
8. Celia S. Thomas, born Jan. 25, 1808.

5^c. John Sands Thomas, the fifth son of Robert Thomas (2^b), was born, as above shown, May 6, 1768; died May 15, 1834. This is the man who owned all the land upon which the town of Bennetttsville, S. C., now rests. He donated the present Court House site and public square of Marlboro County, S. C., by deed dated 4th day of April, 1820, recorded in Book of Deeds K, page 117. He married Elizabeth Bingham, daughter of Thomas Bingham.

Issue:

1. Henry Thomas.
2. Horace B. Thomas.
3. Harriett E. Thomas.
4. Ann Elizabeth Thomas.
5. Julia Ann Thomas.
6. Joseph P. Thomas.
7. Lucinda S. Thomas, m. Jason McDaniel.

7^c. Robert H. Thomas, seventh son of Robert Thomas (2^b), was born, as above shown, April 26, 1773; died April 18, 1843. Married, first, a Miss Covington or a Miss Dockery. Second wife, Dinah David.

Issue:

1. John Thomas.
2. Elizabeth Thomas.
3. John Thomas.
4. Miss Thomas, m. Preston Covington.

8^c. Elijah Thomas was the eighth son of Robert Thomas (2^b), was born, as above shown, March 28, 1775. Married a Miss Pearson.

Issue:

1. Robert Thomas.

9^c. William Thomas was the ninth son of Robert Thomas (2^b), and was born, as above shown, July 25, 1777. Died October 4, 1835. First wife was Frances Magee. Second wife, Eleanor Evans.

Issue by first wife, Frances Magee:

1. James M. Thomas, m. Pamela Morrow of Charlotte, N. C.
2. Henry A. Thomas, m. in Louisiana.
3. Hartwell Ayer Thomas, died unmarried.
4. Nathaniel Thomas, m. Julia A. Thomas; 2nd, Alabama lady.

5. Mary Ann Thomas, m. Joseph M. Thomas of North Carolina.
6. Elizabeth Thomas, died unmarried.
7. Margaret Thomas, m. John Covington of North Carolina.
8. Frances Thomas, or Robt. Thomas, died unmarried.
9. William Thomas, died unmarried.

Issue by second wife, Eleanor Evans:

- 1^R. J. A. W. Thomas, born Dec. 31, 1822; died Aug. 2, 1896; m. Margaret Spears.
2. Benjamin R. Thomas, born Feb. 8, 1825, m. Margaret J. Thomas.
3. Frances Jane Thomas, born March 31, 1827, m. M. Huger Adams of Marion.
4. David Evans Thomas, born Jan. 22, 1830, m. Eliza Thomas of Alabama.
5. Susan C. Thomas, born Aug. 27, 1833, m. J. A. Thomson of Alabama.

Eli Thomas, the eleventh son of Robert Thomas (2^b), was born, as above shown, January 21, 1783. Died in 1854, at the age of 71 years. Married, first, a Miss Dockery; second, a Miss Hamer, and his third wife was Mrs. Fannie Dudley Harrison.

Issue by first wife:

1. Robert D. Thomas.

Issue by second wife:

1. Mary Thomas, m. McDaniel.
2. ——— Thomas, m. Robert Covington.
3. ——— Thomas, m. W. B. Alford.

1^c. Daniel Thomas, son of Stephen Thomas (3^b), or Benjamin Thomas (4^b) or James Thomas (5^b), married Mary or Sarah Covington of Richmond County, N. C., a daughter of John Covington and his wife, Hannah Dockery. This Daniel Thomas was a Revolutionary soldier and probably died in 1810, though it has been stated that he died in 1825.

Issue:

- 1^f. Elijah Thomas, m. Rachel Roe Thomas, widow Wm. Thomas (5^a).
2. Daniel Thomas, born 1776, m. Nancy M. Moorehead, aunt of Governor J. M. Morehead.

- 3^f. Henry Thomas, born 1778, m. Esther Thomas, daughter Wm. Thomas (5^a).
4. John Thomas, died unmarried.
- 5^J. William C. Thomas (Club-foot), m. Sally Williams.
- 6^J. Dr. Robert S. Thomas, m. Mary Pouncey, daughter of Maj. James Pouncey and Anne Kolb.
7. Benjamin Thomas, died unmarried.
8. Susan Thomas, m. Stephen Pankany.
- 9^J. Priscialla Thomas, m. Simon Thomas.
10. Reuben Thomas, m. William Blewitt.
11. Benjamin Thomas, died unmarried.

8^c. Francis Thomas, the eighth son of John Thomas (6^a), married Lydia Woodward.

Issue:

1. Mary Thomas, m., first, Ahira Ballard, second, Eli Hadley. No children.
- 2^g. Luke Thomas, m. Mildred Fulghum.
3. Sarah Thomas, m. Joseph Hubbard.
4. Absillit Thomas, m. Roland Green.
5. John Thomas, m. Smithy Newsome.
6. Francis W. Thomas, m. Rebecca Corbett.
7. Alice Parker Thomas, m. Elliott Houser.
8. Isaac Thomas, m. Mahalah Hadley.
9. Clarkson Thomas, m. Sarah Jane Pitts.

This family lived in the West.

1^f. Elijah Thomas, first son of Daniel Thomas (1^c), married Rachel Roe, who was the widow of William Thomas (5^a), Ram Billy.

Issue:

1. Henry Thomas, m. Nancy Love.
2. Holcomb Thomas.
3. Miss Thomas, a daughter.

2^f. Daniel Thomas, second son of Daniel Thomas (1^c), m. Nancy M. Morehead, who was a daughter of John Morehead, and aunt of Governor John M. Morehead of North Carolina.

Issue:

1. Joseph M. Thomas, m. Mary A. Thomas.
2. Elizabeth Thomas, m. James M. Morehead.
3. Preston Thomas, m. Miss Morehead.
4. Daniel Claiborne Thomas.

3f. Henry Thomas, third son of Daniel Thomas (1^c), married Esther Thomas, daughter of William Thomas (5^a), (Ram Billy) and his wife, Rachel Roe Thomas.

Issue:

1. Daniel M. Thomas.
2. William M. Thomas.
3. Henry Thomas, married.
4. Elijah Thomas, m. Miss Williams.
5. Joseph Thomas.
6. Robert T. Thomas, m. Anne Catherine Earikson.
7. John Thomas, died unmarried.
8. Rachel Thomas.
9. Amanda Thomas.
10. Harriett.
11. Catherine N.

5J. William C. Thomas (Club-foot), fifth son of Daniel Thomas (1^c), married Sallie Williams.

Issue:

1. Elizabeth, died young.
2. Abner, did not marry; moved to Louisiana.
3. Benjamin, m. Miss Williams of Louisiana.
4. Sarah Anne, did not marry; died in Louisiana.
5. Jane Thomas, did not marry; died in Louisiana.
6. John C., married in Arkansas; died there.
7. William C., did not marry; died in Arkansas.

2g. Luke Thomas, first son of Francis Thomas (8^c), married Mildred Fulghum.

Issue:

1. Mezany Thomas, m. Franklin Haisley.
2. Joseph Thomas, m. first, Annie Jane Hill; second, ——
3. Sarah Thomas, m. Elwood Canada.
4. William Thomas, m. Jenny Hadley.
5. Mary A. Thomas, m. Amassa Jenkins.
6. Lyda Thomas, m. James Hadley.
7. Michael L. Thomas.

This family lived in the West.

Sarah Thomas, second daughter of Francis Thomas (8^c), married Joseph Hubbard.

Issue :

1. Jehiel Hubbard, m. Jane Price.
 2. William Hubbard, m. Amand Chinaweth.
- This family lived in the West.

Absillit Thomas, third daughter of Francis Thomas (8^e), married Roland Green.

Issue :

1. William Green, deceased.
 2. Mary Jane Green, deceased.
 3. Clarkson Green, deceased.
- This family lived in the West.

John Thomas, second son of Francis Thomas (8^e), married Smithy Newsome.

Issue :

1. Luke Thomas, m., first, — Hunter; second, — Newlin.
 2. Sarah Thomas, deceased.
 3. John N. Thomas, deceased.
 4. Clarkson Thomas, m. ——— Perishaw.
 5. Lydia Thomas, m. Jehu Millhouse.
- This family lived in the West.

Francis W. Thomas, third son of Francis Thomas (8^e), married Rebecca Corbett.

Issue :

1. Jeremiah M. Thomas, m. Luzena Johnson.
- This family lived in the West.

Alice Parker, fourth daughter of Francis Thomas (8^e), married Elliott Houser.

Issue :

1. Eli Houser.
 2. Nuna Houser.
 3. Bertha Houser.
- This family lived in the West.

Isaac Thomas, fourth son of Francis Thomas (8^e), married Mahaleh Hadley.

Issue :

1. Marshall Thomas, m. ———

2. Barclay Thomas, m. Miss Rash.
3. Marietta Thomas, m. John Townsend.
4. Eli Thomas.
5. Woodrow Thomas, deceased; no issue.
6. Frank Thomas.

This family lived in the West.

Clarkson Thomas, fifth son of Francis Thomas (8^e), married Sarah Jane Pitts. No issue.

This family lived in the West.

6J. Dr. Robert Thomas, sixth son of Daniel Thomas (1^e), married Mary Pouncey, daughter of Major James Pouncey and Sara Kolb.

Issue:

Perhaps William Thomas, m. Miss Kates of Wilmington, N. C.

9J. Priscilla Thomas, second daughter of Daniel Thomas (1^e), married her cousin, Simon Thomas.

Issue:

1. James.
2. Rachel, m. Hampton Covington.
3. Mary, m. Major George Northam.

1^k. William Thomas (Silver Heel), first son of William Thomas (Ram Billy, 5^a), married, first, Sallie Everett, daughter of Lawrence Everett.

Issue:

1. Hannah, born 1782, died in infancy.
2. Rebecca, born 1784, died in infancy.
3. William, born in 1790, died in infancy.
4. Mary, m. her cousin, Lawrence C. Everett.

Second wife of William Thomas (Silver Heel) was Sarah Ewing, widow of Samuel Ewing, maiden name, Sarah Tarbuton.

Issue:

- 1^m. John, born 1792, m. Elizabeth Covington, half-sister Mrs. Mary Wall.

NOTE—After the death of Simon Thomas, the widow, Priscilla, married Owen Slaughter.

- 2^m. James, born in 1794, m. Charlotte Roper, daughter Thomas Roper.
- 3^m. George, born in 1797, m. Mary Adams of Adamsville.
4. Rachel, born in 1800, m. Charles Hailley, moved to Indiana in 1840.

1^m. John Thomas, first son of William Thomas (1^k), (Silver Heel), by second marriage with Sarah Ewing, married Elizabeth Covington.

Issue:

1. James, m. Miss Bolton, daughter of Thomas Bolton.
2. Calvin, m. Miss Hasty.
3. Martha, m. Thomas Garrett.
4. Mary, m. Angus McInnis.
- 5^g. Sallie, m. John McKay.
6. John.
7. Wesley.
8. Robert.

2^m. James Thomas, second son of William Thomas (1^k, or Silver Heel), by second marriage with Sarah Ewing, married Charlotte Roper.

Issue:

1. George, m. Miss Terry; born 1821.
2. George, m. Annie Covington; born 1824.
3. John W., m. Lucy Smith; born 1825.
4. Benjamin J., born 1829.
5. William, born 1827.
6. Stephen W., born 1830; m. Kate Winston.
7. Hy. T., born 1833, died in Confederate army, 1861, Co. D, Twenty-third Regiment.
8. Rachel, m. Monroe; born 1822, died 1845.

3^m. George Thomas, third son of William Thomas (1^k, or Silver Heel), by second marriage with Sarah Ewing, married Mary Adams of Adamsville, daughter of Shockley and granddaughter of Jonathan Adams.

Mrs. George Adams was a sister of Dr. John Malloy's wife, Daniel C. McIntyre's wife and Col. Alexander McQueen's first wife.

NOTE—William Thomas (1^k or Silver Heel) represented Richmond County, N. C., in both branches of Legislature in the years 1810-14-16-19-20-21. His son George (3^m), was a member of the North Carolina Legislature for the years 1827-35-36-38.

BODIFORD MURDER TRIAL.

From time immemorial there has existed in the popular mind a deep-seated prejudice against circumstantial evidence, particularly in those cases where human life is involved. The ancient writers upon the subject of evidence cite many peculiar and remarkable instances in which convictions, based upon this kind of evidence, were afterwards shown to have been erroneous. Even in modern times, it is sometimes found very difficult to persuade juries to convict in capital cases upon circumstantial evidence. This attitude of caution on the part of the juries, commendable as it may be, as showing their sense of mercy and tender consideration for human life, can hardly be considered to be justified in reason, for circumstantial evidence, when properly understood and applied, is generally more irresistible to a trained intelligence than many forms of primary evidence. In the most important concerns of life, the citizen is accustomed to act with confidence upon circumstantial evidence, and yet, when he comes to sit in the jury box and deliver his judgment of life or death, he is prejudiced against this form of testimony and gives a warm reception and ready response to the shocking illustrations cited by the culprit's counsel, showing the miscarriages of justice that may be traced to circumstantial evidence.

In Marlboro County the juries and the people have shared, and continue to share, in the prejudice displayed against circumstantial evidence in other times and among other people. Here, as elsewhere, lawyers for the defense, in cases based upon this kind of testimony, have denounced in burning language the frightful wrongs perpetrated by means of circumstantial evidence upon falsely accused men. They have adorned and accentuated their argument by well authenticated cases of judicial murder attributable to this kind of testimony.

As a familiar and local illustration can always be used more effectively than one drawn from strange and distinct sources, the Marlboro County lawyers of former years always pointed out the particular injustice inflicted upon Bodiford through circumstantial evidence. The name and sad fate of Bodiford often formed the theme of the mournful eloquence of those advocates who had an unusually desperate case to defend. To all inquiries

for particular information concerning the Bodiford case, no very satisfactory response could ever be obtained from those lawyers who so freely brandished it as a warning before the horrified gaze of innumerable juries. This lack of definite information was probably due to the fact that most features of the Bodiford case descended only from the lips of tradition and not from any recorded narratives. Tradition, however, must be, and is recognized as one of the legitimate sources of historical truth. Many pages of history record the glorious achievements of far distant times, which were at first preserved only in the memories of men and transmitted from father to son by word of mouth. That the event may have become exaggerated with the passage of time is doubtless true, but that it originally had a basis of fact no reasonable man can well deny. So it is with the Bodiford case. Some of its features may have been enlarged in the frequent telling, but that the forefathers had good ground for their statement—that he was proven innocent after his conviction, should not now be disputed. That this strange old narrative of Marlboro County is now nearly forgotten, is proven by the fact that the last public reference to it, so far as this writer recollects, was made by the distinguished and lovable Nestor of the Bennettsville bar. It seems a pity that it should be consigned to oblivion, for, since the name of this unfortunate victim of judicial error is now extinct in this community, the recital of the injustice of his fate cannot arouse painful sensations in the bosom of his descendants. Perhaps the story will in the future save the life of some other man unjustly accused.

The murder charged against Daniel Bodiford was committed on Wednesday night, January 25th, 1809, and the scene of the crime was probably that part of the county which now lies in Red Hill Township, not far from the river and near the old court house. The victim was a widow named Betsey Wallis, who lived alone not very far from the home of her married sister and her husband, with whom she did not seem to be on very pleasant terms. In fact, it appears that Betsey Wallis was a rather unfortunate and friendless creature of humble life and circumstances, living in a house by herself. It seems that there was enmity between her and several of her neighbors, and among the others, the two brothers, Daniel and Vincent Bodiford. The latter owed Betsey Wallis a debt, which he was unable to pay, and under the law, as it stood in those days, Betsey Wallis had

the right, as creditor, to imprison Vincent until this debt was paid. Daniel Bodiford also was known to bear ill will and hatred to Betsey Wallis. At a cotton picking gathering, about two weeks before the murder, Betsey Wallis had attempted to shoot Daniel Bodiford with a gun, but was disarmed before she accomplished her purpose. He was then heard to say, that it would have been better for her if she had killed him, as he intended to kill her. Later on, he was also heard to say that he would do something before long that would cause him to leave the place, and also, at another time, that she should be whipped, and that if she did not let him alone he would give her a dozen lashes. It seems also that the married sister of Betsey Wallis, a few days before her murder, became very much offended at her because she had whipped one of her daughters, and that this married sister was heard to declare that she wished some one would kill Betsey. Thus, it is seen, that there were many people living in the neighborhood who entertained sufficient ill will against Betsey Wallis to wish her dead, and many people were supposed to entertain sufficient animosity to be the perpetrators of the deed.

Betsey Wallis was killed about two hours after dark. She had gone to bed and the murderer fired through the window and the trace of his footstep immediately outside the window was plainly marked. Several people in the neighborhood heard the report of the gun, which was followed by a loud shriek, but it seems that no one made any effort to ascertain what had happened until early next morning, when Betsey Wallis was found dead on her bed with shot scattered around on the floor. The indifference that those who heard the alarm manifested shows not only the forlorn situation of Betsey Wallis, but likewise added strength to the general suspicion that several people in the neighborhood were concerned in her death. In fact, the suspicion was freely expressed at the time, that several people beside Daniel Bodiford were implicated. The track outside of the window was found to correspond almost exactly with the track of Daniel Bodiford and also the track of Vincent Bodiford. It is likely, however, that the most damaging fact against Daniel Bodiford was his demeanor immediately afterwards. He showed that he realized that the circumstances pointed to his guilt, and in a desperate effort to free himself, he declared that his brother, Vincent Bodiford, had committed the crime, that he saw his brother with a

shotgun and that he declared his intention to kill Betsey before he would go to jail on account of the debt he owed her. This declaration of Daniel Bodiford made at the time of the coroner's inquest upon the dead body of Betsey Wallis, sounds very pathetic after the lapse of so many years, if the view is taken that he was an innocent man who in a moment of desperation and weakness was willing to incriminate his own brother to save himself. The ancient record gives his words as follows: "Daniel Bodiford, the supposed murderer of Betsey Wallis, said: that it was hard for the truth to come out, but it must come—it was his brother, Vincent Bodiford, that shot Betsey Wallis on the 25th instant. About one hour in the night I saw my brother with a shot gun at the fence at his mother's, and he said the gun was loaded with an intention to take the life of Betsey Wallis, and before he would go to gaol, he would lose his life or kill her." Daniel Bodiford, his brother, Vincent Bodiford, and the sister of the deceased and her husband, were all indicted for her murder. None of them was ever put on trial except Daniel Bodiford. A true bill was returned against him at the Spring Term of the Court of General Sessions began to be holden at Marlboro Court House on the first Monday after the fourth Monday in March, 1809. The foreman of the Grand Jury was John Wilson. It is interesting to observe at this point that Donald McDearmid had been chosen as foreman of the Grand Jury, but owing to the fact that he was not at that time a naturalized American citizen, he was disqualified for service. The presiding Judge of the Court was William Smith. Benjamin Rogers was Sheriff and John Thomas, Jr., was Clerk of Court. When it is remembered that Courts of General Jurisdiction had been held in Marlboro County for only nine years, and that this was the first murder case ever tried in this county, it will be easy to understand the great degree of public interest that was manifested in this trial, and also to understand the deep impression afterwards made upon the public mind when it was discovered that the first man ever hanged in the county had been unjustly condemned. The Court convened on Monday and the Grand Jury promptly found a true bill. On the following Wednesday, Daniel Bodiford, the prisoner, having been arraigned and put to his plea, pleaded *not guilty* and chose to be tried by God and his country. The jury that tried and convicted him consisted of William PeGues, foreman, Joseph Thomas, Thomas Weatherly, David Henderson,

William Easterling, John Smith, Isaac Weatherly, Joseph Gourley, Edward Roe, Sr., Roderick McLeod, John McDaniel and Solomon McColl. Although Solomon McColl was drawn on this jury, he did not sit, for the reason that he was not at that time a naturalized citizen. It is not known who filled his place on the jury. Nothing is known of the testimony presented in this case. It is probably certain, however, that the facts and circumstances detailed at the coroner's inquest, were again put in evidence and found sufficient for conviction. That is, that Daniel Bodiford had a deep-seated grievance against the deceased; that they had once had an altercation in which Betsey Wallis attempted to shoot Bodiford, and that he then, and afterwards, was heard to speak evil of her and threaten her life. In addition, the track of the murderer, found outside of the window, was shown to correspond with the track of Daniel Bodiford, whose demeanor immediately after the discovery of the murder, was such as to show, in the opinion of the witnesses, a guilty conscience, and probably the strongest circumstances of all in the minds of the jury was the desperate effort of the accused to shield himself by declaring that his own brother had confessed his intention to commit the murder. It is thus seen that probably all of the testimony relied upon for a conviction was of a circumstantial character, but of a kind that sounds almost irresistible, even after the lapse of a century. The impressive sentence of the Court was pronounced by Judge William Smith in the following language: "That the defendant should be taken from hence to the place from whence he came and there be confined until Friday, the 28th day of April, instant, on which day he is to be taken from the gaol of this District to the Common Gallows and there be hung by the neck until he should be dead, dead, dead, and may God have mercy on his soul."

This trial was, of course, had at the old court house near the river. As already stated, courts were a new spectacle in this county, and it is probable that many people attended the first murder trial ever had in the county. The hanging, of course, was a public spectacle, attended by hundreds and hundreds of people. The old tree under which Bodiford was executed was still standing a few years ago and was pointed out as a reminder of that solemn and terrible event. That Daniel Bodiford was not guilty of the crime charged against him, seems clearly established by the voice of tradition. It is not known at this time

whether he had any actual knowledge of or participation in the crime, but it is definitely understood that it was not his hand that inflicted the stroke of death upon Betsey Wallis. Many years afterwards, so tradition relates, a man, whose name was not connected with the occurrence at the time, when he lay dying, confessed that it was he, and not Daniel Bodiford, who slew Betsey Wallis.

These are the only available facts at this distant time relating to the Bodiford murder trial. It is impossible for those of this generation to comprehend the powerful impression made upon the public mind by this trial, especially when it was afterwards discovered that judicial error had been committed. Times then were entirely different. People knew little of the outside world and few things of interest and excitement came into their lives. Court proceedings were awe-inspiring and possessed all the attraction of novelty. The few people then living in Marlboro County came with eager eyes and ears for the spectacle of a murder trial, and after the solemn doom had been pronounced upon poor Bodiford, they returned to their homes to discuss the trial until the day of execution arrived, at which time a large concourse of people from the entire county came to witness the final act in the tragic drama, and to treasure up in memory every detail surrounding it. Tradition relates that as Bodiford was being led through the mass of people gathered there to see him that he turned to one in the crowd, called him by name and said: "I am dying an innocent man for the crime you committed." Whether the man he thus accused was the same one who afterwards confessed is not known.

The tragic and undeserved fate of Bodiford belongs to the early history of the county, but it has often been called to mind in the trial of murder cases. How many lives have been saved by the appeals based on his unjust doom no one knows. But it is not at all doubtful that guilty wretches have since owed their escape from death or other punishment to the miscarriage of justice attributed to the Bodiford trial.

SKETCH OF GEN'L TRISTRAM THOMAS.

The name of Tristram Thomas, distinguished in the early annals of Marlboro County, is practically unknown to the present generation, which enjoys the fruits of the splendid sacrifices made by him and his companions in arms. A proper respect for the past should characterize every enlightened people, and no community can achieve a great destiny which forgets its obligation to the pioneers who first laid the foundations upon which organized society has been built. The race that has no history has no civilization. The community that ceases to revere the memory of its patriotic fathers, is lacking in the true elements of greatness and will never achieve enduring fame, no matter how successful it may prove in the race for commercial supremacy. The following sketch of Tristram Thomas is written for the purpose of rescuing his name from the undeserved oblivion which is about to envelop it, and to preserve the few facts that are now known of him and his family. The author is conscious of the fact that this sketch of Tristram Thomas is very meagre and imperfect, but owing to the lapse of time since his death and the extinction of his family in this county, it has been impossible to procure any information concerning his career, except such as is preserved in fragmentary official records. It is hoped, however, that these lines may be read by some of his descendants, or others, who will be able to supply more complete details of a life which was so largely spent in the service of Marlboro County.

Tristram Thomas was descended from a family of Welch Quakers who came to America about two hundred and fifty years ago. His emigrant ancestor, Christopher Thomas, of Caermarthen, Wales, came to this country in 1634 and married Elizabeth Higgins. The only child of this marriage was a son named Tristram Thomas, who married Anne Coursey, and settled in Queen Anne County, Maryland. Their eldest son, Thomas Thomas, was the father of Tristram Thomas, of Tulley's Neck, Queen Anne County, Maryland, and his eldest son, Stephen Thomas, was born May 28, 1705. General Tristram Thomas was the tenth child born to Stephen Thomas, whose descendants now living in Richmond and Marlboro Counties and the western

States, are as the sands of the sea for number. Absolutely nothing is known of the early life of General Tristram Thomas, which was spent, either in Maryland or North Carolina, and possibly in both States. Family tradition relates that his father, Stephen Thomas, moved from Maryland to the latter State, probably Richmond County, about the year 1750. At all events, a few years before the Revolutionary War, probably about the year 1769, Tristram Thomas followed his eldest brother, Reverend Robert Thomas, to Marlboro County. The exact date of his arrival in this county cannot now be fixed, but he was certainly here in 1770, for in that year, he, along with other patriotic citizens of St. David's Parish, subscribed to a public fund for the encouragement of domestic manufactures.

As soon as the long gathering storm of war burst upon the colonists, Tristram Thomas, who was then only a youth, embraced the patriot cause with all the ardor of his nature, and it is a source of profound regret that it is not now possible to give a detailed account of his military career. No effort was made to record the martial exploits of the Pee Dee soldiers until more than half a century had elapsed after their performance, and this contemporary neglect resulted in the loss of nearly all historical knowledge which was not rescued from oblivion by the incomparable work of Bishop Gregg. That author's sketch of Tristram Thomas, though brief and lacking in detail, is sufficient to show that he was a constant and active champion of the American cause, and that he performed valuable and distinguished service as a Revolutionary officer. History records that the soldiers from the Pee Dee, not only marched to the relief of beleaguered Charleston, and participated in the pitched battles of Eutaw and Camden, but that they were also engaged in the dashing forays against the Tories under Major Gainey in Marion and Captain Campbell in Georgetown. In all of this service, and throughout the entire war, Tristram Thomas performed a useful and conspicuous part. In 1780, Hicks' Regiment, in which he held the rank of major, marched to the relief of Charleston, but in spite of all the efforts that were made in behalf of that stricken city, it fell before overwhelming British numbers early in the year. As a consequence of this unhappy event, the people of South Carolina, and particularly of the Pee Dee section, were called upon to suffer even more harrowing experiences at the hands of their domestic and foreign foes than had already fallen

to their lot. First a detachment of Light Horse, under the infamous Wemys, fell upon the Pee Dee and ravaged its patriotic inhabitants with fire and sword. Immediately afterwards a battalion of the Seventh-first Regiment, composed of the flower of the Highland Clans, was stationed on the Pee Dee to over-awe the Whigs and reanimate to desperate deeds the drooping spirits of the Tories. The presence of this historic British Regiment, which had been famous in military annals for over a hundred years, naturally encouraged the Tories to renew their bloody expeditions and to revenge, by unspeakable outrages, the crushing defeats they had already suffered at the hands of their Whig neighbors. In these dark and unhappy days Major Thomas was a tower of strength to his distressed countrymen, and by his unremitting and successful efforts for their relief, he won that strong public affection which, after the return of peace, delighted to express itself in civic honors of the most important character.

It was about this period, some time in the year 1780, that Major Thomas performed one of the most spectacular exploits of his military career—the capture of a British detachment at Hunt's Bluff. There is probably little doubt that if the truth could be known, many other exhibitions of courage, resourcefulness and sacrifice would have to be written into his military record. This particular achievement, however, possessed enough romantic interest for the Whigs to cause them to preserve it in song and story, while they consigned to oblivion events of perhaps more importance but of less romantic character. The Seventy-first Regiment, under Major McArthur, was then encamped at Cheraw. His situation, immediately upon the banks of the Pee Dee River, proved to be unhealthy and many of his soldiers sickened and died. McCrady, in describing the incident, says: "Knowing of no enemy within many miles, he ventured to send about one hundred sick in boats down the Pee Dee to Georgetown, under the care of Lord Nairne and the escort of a detachment of the Royal militia under Colonel William Henry Mills. This Colonel Mills was a physician who had originally been in the revolutionary movement, and had been a delegate to the Provincial Congress in 1776, but had given in his adhesion at once to the British upon their success, and from that time became a determined foe to the American cause.

"Hearing of the projected expedition down the river, a party of Whigs, under the lead of James Gillespie, collected at Beding's

Fields, afterwards Irby's Mills, three miles from Cheraw, and determined to surprise it. As they went on, their numbers increased, the command being assigned to Major Tristram Thomas. In the meantime, with the departure of the boats, McArthur retreated toward Black Creek. The Whigs fixed upon Hunt's Bluff, a point about twenty-five miles below Cheraw, between Darlington and Marlborough Counties, for intercepting the expedition. A battery of wooden guns was hastily constructed and placed immediately on the bank in a sudden bend of the river. In due season, as the slowly moving flotilla appeared, a most imposing demonstration was made by the gallant Thomas, and unconditional surrender demanded. The British authorities charge that there was absolute treachery on the part of the Loyal militia, who, they say, rose in mutiny upon Colonel Mills; the American accounts admit that it was not improbable that there was an understanding with some of the leading men of the party. However this may have been, no resistance was attempted, and the capture was effected. At the same time a large boat coming up from Georgetown, well stored with necessaries for Major McArthur's force, was seized for the use of the American army. Colonel Mills succeeded in getting away, and made his escape to Georgetown. The other new-made British officers of the militia, with the rest of the party, were taken prisoners."

This affair at Hunt's Bluff is the only military contest, rising to the dignity of a battle, that history accords to Marlboro throughout the revolution. The soldiers of Marlboro played their part manfully in battles elsewhere, but, aside from the Hunt's Bluff capture, no large conflict is known to have taken place within the county. Upon this occasion Major Thomas was ready for the duty when it came, and the success that crowned his efforts here was probably characteristic of his activities upon other more arduous but less romantic fields of warfare. This capture of one hundred British soldiers at Hunt's Bluff was regarded by Cornwallis, Tarleton and other prominent British officers as being of sufficient importance to require considerable explanation in their written reports and memoirs. This engagement, fought upon Marlboro soil, though McCrady seems to credit it to Darlington, is the chief event preserved by history of Marlboro County in the Revolution, and the name of her own distinguished

hero, Tristram Thomas, must forever be indissolubly connected with it.

With the beginning of the year 1782, the dawn of peace first became faintly visible to the eyes of the sorely distressed people, and the thoughts of all naturally turned to the establishment of some form of government whereby the fruits of the dearly won victory might be secured and the intolerable evils incident to a state of internecine war remedied. Bishop Gregg, in his excellent and comprehensive history, seems to have given but little attention to the legislative gathering which marked the end of British sway in South Carolina. In the latter part of the year 1781, Governor Rutledge issued a proclamation for a session of the Legislature to meet at Jacksonboro, in Colleton County, where it might be protected by the American army from capture at the hands of the British. This Legislature, now known in history as the "Jacksonboro Assembly," convened on the 18th day of January, 1782. The Senator from St. David's parish was William Thomas of Marlboro County, while his first cousin, Major Tristram Thomas, occupied a seat as one of the Representatives. This assembly, composed, as it was, exclusively of the true and tried men who had suffered the incredible hardships and performed the services necessary to wrest complete victory from the most powerful nation on earth, has been justly termed the most distinguished body of men ever gathered together in South Carolina. McCrady says: "A more distinguished body of men had never before, and never after, met in the State of South Carolina, nor, perhaps, in any State in the Union." The distinguished military characters from every section of the State were there. Such men as Marion, Sumter, Pickens, Hampton, Bratton and numbers of others, who were their equals in patriotism, if not in military distinction and ability. The distinguished jurists and statesmen were there in the persons of the Rutledges, Pinckneys, Lowndes, and others whose names now adorn the proudest pages of history. All the surviving signers of the Declaration of Independence, and many others, who afterwards occupied the most elevated positions in the councils of the State and nation were there. To be considered worthy at the age of twenty-nine to represent the people composed in the extended territory of Old Saint David's Parish in such an assembly of distinguished leaders as the Jacksonboro Legislature, was a high testimonial of the public esteem in which Tristram Thomas was held by his coun-

trymen. The people just emerging from the horrors of a cruel war, were extremely jealous of their new born privileges, and they saw to it that no man sat in that body who had not earned his right by patriotic services of the most exalted character.

In November, 1782, was held the first election for members of the Legislature after the Treaty of Peace had been signed. Tristram Thomas was returned as the first Senator from St. David's Parish. In this connection it must be remembered that St. David's Parish at that time comprised all of the territory now embraced in the Counties of Marlboro, Chesterfield and Darlington. It is impossible to appreciate at the present day the important and difficult nature of the duties devolved upon the law-making body of a state which had just emerged from a long protracted struggle in which it had not been possible to discharge the usual functions of organized society. In the tumult of war, the courts had been closed and the civil laws had been disregarded. The law of force had alone been respected. Bloodshed and rapine, outrage and torture, had been the daily portion of a people who now looked with longing eyes for the restoration of peaceful methods of adjusting their long standing grievances. Upon the first Legislature that assembled after the return of peace, was thrust the stupendous task of bringing order out of chaos and restoring an orderly administration of the law. Obligations contracted by debtors before the outbreak of the war were still in force, though necessarily disregarded amid the demoralization of strife. It was now necessary to take steps for preserving the rights of the creditor without at the same time working the destruction of the debtor. The distribution of estates belonging to deceased persons was a subject demanding instant attention. There was no circulating medium with which debts could be discharged and commerce sustained. The adjustment of relations toward the Tories presented a problem of the most vexed character. All of these questions, and many others of equal importance, had to be settled by the Legislature first assembled after the close of the war. At this time, when the best and wisest men were sought for the public service, the eyes of all turned to Tristram Thomas as being most worthy of the highest distinction within the gift of his parish.

At the election held in November, 1784, Captain William DeWitt succeeded Tristram Thomas as Senator, but a vacancy having occurred in the membership of the House during the ses-

sion, Major Thomas was chosen to fill it. In 1785 the Act creating Marlboro County and establishing county courts was passed by the Legislature. Major Thomas was elected by the Legislature as one of the judges for Marlboro County, and was likewise selected as one of the commissioners to provide for the erection of a court house and jail for the new county. This Act meant that the old territorial division known as St. David's Parish, was to be dismembered and divided into a number of separate counties, of which Marlboro was one. The first session of the county court was held on the 17th day of March, 1785, at Gardner's Bluff, and imagination fails to depict the pride and satisfaction that must have glowed in the faces of the people at the spectacle of the first court of any description ever held within the territory of Marlboro County. This court convened in or near the home of Tristram Thomas, for, as yet, the court house had not been erected. For thirteen years in succession, Tristram Thomas continued to sit as one of the county court judges for Marlboro County. It is not practicable to relate in this sketch the varied and important nature of the duties devolved upon the old county court of Marlboro. It was not until the year 1789 that the court house and jail were finally completed and turned over to the county judges. These buildings were erected on two acres of land within half a mile of the residence at that time of Tristram Thomas, who donated the land to the county by his deed dated August 1, 1787. In this connection it is interesting to observe the singular coincidence that the two donors of court house sites for Marlboro County were Tristram Thomas and his nephew, John Sands Thomas.

In May, 1788, a convention assembled in Charleston for the purpose of considering the ratification of the United States Constitution. Tristram Thomas was elected a delegate to this important body. In October of the same year he was a member of the Legislature, though this fact seems to have been overlooked by Captain Thomas in his compilation of the Marlboro members of this body. When Marlboro County was created in 1785, it seems that no change was made in the method of choosing representatives, but that the three counties, Chesterfield, Darlington and Marlboro, still continued to elect their members and Senators together. In 1790, however, a change was made in the method of choosing members of the House, and from this time they represented the different counties, but the three counties continued to

choose two Senators to represent them jointly. In 1794, Tristram Thomas was elected one of the two Senators from these three counties. Again, in 1796, Tristram Thomas and his first cousin, William Thomas, also of Marlboro County, represented the three counties. Tristram Thomas was elected to the House of Representatives from Marlboro County in 1800-1806-1810, and for the last time, in 1812, when he was sixty years of age. He served in the Legislature, either in one branch or the other, from time to time for a period covering thirty-one years. He was elected Senator three times and a member of the House six times. His total service in the General Assembly of South Carolina extended over a period of nineteen years, a record for length of service which has never been equalled by any other citizen of the county up to the present time. His public career began in 1770 and closed in 1812, making a period of forty-two years during which he was actively and continuously engaged in the performance of important public duties.

Tristram Thomas, however, in addition to his military, judicial and legislative services, also served the people in many other positions of trust and responsibility. In 1791, he, together with such men as William PeGues, Baron Poellnitz, Alexander Mackintosh, and others of that character, served as commissioner to improve the navigation of the Pee Dee River. When it is remembered that the Pee Dee River was at that time practically the only avenue of transportation, and the only means of intercourse with the outside world, the important nature of this service becomes apparent. The report of practically every grand jury empanelled at Long Bluff before the Revolutionary War, pointed out the necessity of cleaning out the Pee Dee River, but nothing was done by the Provincial Government. In 1794 he was elected as the first brigadier-general of militia from the Pee Dee. At that time military honors naturally stood very high in public esteem, and the election of General Thomas to this position is a splendid evidence of the high regard in which he was held. Bishop Gregg states that Colonel Lemuel Benton, who had outranked Thomas in the war, was so highly incensed at the preference shown to the latter, that he resigned from the militia and exhibited warm personal resentment. It is, of course, not possible, at this late day, to decide which of these heroes of the Revolution was most entitled to receive this honorable reward, nor is it possible to trace the course of the unfortunate rupture

that probably occurred between the two men. Benton was probably a man of ardent nature and strong passions. Thomas, on the other hand, is said to have been of gentle nature and retiring disposition; and it is, therefore, quite probable that Benton, though a man of forceful personality, aroused such strong antagonisms that he could not always succeed in his political ambitions. Modern curiosity cannot now penetrate, if it would, the mist of obscurity that surrounds this controversy. It is stated that the gazettes of the time show that Tristram Thomas was several times a candidate for Congress. He may have opposed Colonel Benton, who served from March 4, 1793, to March 3, 1799, and Benjamin Huger, who defeated Benton and served from March 4, 1799, to March 3, 1805, or perhaps he opposed Governor David R. Williams, who served from March 4, 1805, to March 3, 1809. Nothing is known of these old political battles, but the probability is that General Thomas was not able to cope with his opponents as a stump speaker. In 1778, St. David's Academy, a noted and much needed school, was formed as a result of the donations of the leading citizens of the parish. Tristram Thomas subscribed largely for the promotion of this worthy object. It may also be observed that again in 1802 he was prominent in promoting the school facilities of the new and isolated community. By an Act of the Legislature passed December 18, 1802, Tristram Thomas, William Pledger, Robertson Carloss, John Rogers and Edward Crosland were given authority to conduct a lottery for the purpose of raising not more than two thousand five hundred dollars to establish the Marlboro Academy. The lottery was in those days the favorite method adopted for raising funds for churches and schools, and the early acts of the Legislature show many similar cases. In 1794, Tristram Thomas was one of the commissioners to erect and repair the public buildings of Cheraw District.

The foregoing constitutes the brief outline of the public career of General Tristram Thomas. Beginning in 1770, when he was only eighteen years of age, he devoted his life to the service of his country and State. It is a source of profound regret that the lapse of time and the absence of all material make it impossible to describe in detail his various services as soldier, legislator and county judge. His career, however, is so intimately connected with the great public movements which finally led to the creation and organization of Marlboro county, that his history should be

carefully preserved in the public archives and in the hearts of a grateful posterity. It is particularly to be regretted that no description of the man himself can be given. His personal characteristics, known to the men of his time, and probably treasured in the memories of his descendants, are now unknown to anyone living in this county. It is a sad commentary upon the vicissitudes of human affairs that his family has either become extinct or departed from the scene of his heroic career without leaving any trace behind it. It is, of course, quite possible that his blood today flows in the veins of Marlboro people, who, through misfortune and ignorance, have no knowledge of their ancestry.

Tristram Thomas died at his home in Marlboro County, the 3d day of September, 1817, and lies buried at the Old Saw Mill Baptist Church, near Dudley's Mill. He first lived near Gardner's Bluff, but later moved to the place now known as McCall's Mill, about two miles west of Bennettsville, on the Society Hill road. It is said that he built the first mill ever erected upon that spot. The first wife of Tristram Thomas was Mary Hollingsworth, the daughter of Samuel Hollingsworth, whose father was likewise named Samuel, and owned land in the Welch tract before 1746. Mary Hollingsworth Thomas died about 1798, and Tristram Thomas then married Ann Pledger, the daughter, perhaps, of Captain Philip Pledger, who was a distinguished character prior to the Revolutionary War. The last wife of Tristram Thomas was Mary Harry, the daughter of David Harry, one of the original Welch settlers. David Harry and his wife, Catherine Harry, came to the Pee Dee in 1737. Mary Harry Thomas was born in 1751, and died in January, 1817. Her husband also followed her in September, and they sleep side by side at the Old Saw Mill Baptist Church.

Upon the stone that marks the last resting place of General Thomas, appears the following simple inscription:

"Tristram Thomas, Sen.
Died in 1817. Age 65.

"Behold the pilgrim as he dies,
With glory in his view;
He heavenward lifts his longing eyes,
And bids this world adieu."

Upon the tomb of his wife, Mary Thomas, the following verse is written:

“Let this feeble body fail,
And let it faint and die,
My soul shall quit this mournful vale,
And soar to worlds on high.”

Several other members of the Thomas family, probably children and grand-children of Tristram Thomas, are interred upon the same spot. General Thomas left the following children surviving him: Robert T. Thomas, Joseph Thomas, who married Susana Thomas; Elizabeth Thomas, who married Joseph Burch; John Thomas, Tristram H. Thomas and James C. Thomas. After the death of General Thomas, his eldest son, Robert T. Thomas, died, leaving his widow, Jane Thomas, and the following children: Philip T. Thomas, Robert Thomas, Nancy Thomas, Ann Thomas and Susana Thomas. Of this large family, not one of his descendants is in the county today, so far as this writer knows. Practically nothing is known of the subsequent history of any of the descendants of Tristram Thomas. One of the sons, John Thomas, was probably Clerk of Court for Marlboro County about the year 1808, though this John Thomas may have been the son of Reverend Robert Thomas. It is certain, however, that James C. Thomas, the son of Tristram Thomas, filled the office of Clerk of Court about the year 1828. He married a Miss Little from ~~North~~ Carolina, died without leaving any children, and lies buried in the Methodist Churchyard in Bennettsville, S. C. He adopted his wife's nephew, A. G. Johnson, to whom he willed all of his property. He lived at the old house which was destroyed by fire in 1915, on the south side of the Adamsville public road just above the Oak Ridge Cemetery. This place is now owned by Mrs. E. S. Carlisle, and was formerly known as the J. L. Breeden property. Another one of his sons, Tristram H. Thomas, attended the South Carolina College in the year 1812.

It is a sad exhibition of the mutation of human affairs that there is today no known descendant of this patriotic citizen of the olden time. Whether they have scattered to other portions of the world, or whether they have become extinct by death, no one knows. All of us, however, who are now enjoying the blessings of peace and prosperity in this county today should cherish with grateful recollections the memory and fame of Tristram Thomas, to whose privations, sacrifices and wisdom the people of the present are so largely indebted.

ROBERT THOMAS.

BY J. A. W. THOMAS.

When this series in memory of "the old preachers" was begun, it was intended to include Robert Thomas, because he was my grandfather. His grandfather came from Wales in 1609, landed in Maryland, from thence some of his posterity went West and North, while grandfather and several of his brothers sought a sunnier clime and through Virginia and North Carolina they ultimately reached Marlboro, about the middle of last century. When or where my grandfather entered the ministry is unknown. His first son, born in 1762, used to tell us that his earliest recollection of his father was as a preacher and it is upon record that he sometimes visited the camp and preached to the soldiers. A young brother, Tristram, was a noted partisan, rising to the rank of major in the army, and, after peace, to a general's commission in the militia, and for many years to a seat in the State Legislature; was a prominent Baptist and encouraged this manifestation of sympathy on the part of the elder brother in the patriot cause.

Nobody has ever so spoken in my presence of his preaching abilities as to make the impression that he was endowed with shining gifts, and yet he preached extensively in the region around him, at least, at points wide apart. Men were familiar with his ministry and his name appears upon the records of Terrell's Bay and Catfish Churches—the former fifty miles from his home. In 1793, through his efforts mainly, a church was organized at Salem. I have many a time read the account of the organization and subsequent proceedings, and among the first acts of the church was a resolution calling "Brother Thomas to be our pastor." and in his own handwriting upon the same pages in the "church book" is recorded his letter of acceptance in these words: "I accept the call. Robert Thomas." That old book has nowhere told what "salary" they paid; but tradition has handed it down from one pastor to another that the first pastor did require of his brethren "to build a stall upon the church lot where his pony was to be sheltered and fed while he was preaching." But the tradition has not told it of any one of his churches ever gave him anything to carry home to grand-

mother and the twelve children the Lord had given them. But so it was for about twenty years he continued to minister more or less frequently to this ancient body; and although they had a house of worship near where the present building stands, yet the old book records meetings held at "Fuller's Mill," "Hagan's Prong," and many other places in the country around. And to the day of his death his name stood first on the roll of members. The writer has a copy of the roll for the first seventy years of its history, and the only entry opposite his name is this: "Died 1817, aged 84." So that the inference is that from the formation of the church he was a member of it till his death. That event occurred before my father and mother were married, but I have heard them and many another speak of him as he appeared in his old age, upon one of his preaching tours, in his winter's outfit. A woolen cap covering his head, a home-made blanket tied around his neck covering his person to the saddle skirts, his saddle covered with dressed sheepskin unshorn, his lower limbs protected with dressed buckskin, and stirrups wrapped with woolen strips, the hand that held the reins protected with warm mittens. He never missed an appointment; and his "dapple-gray knew the fords and bridle paths almost as well as his old master." Some of the old people used to say, "His conscience would not wear two coats, but he made it up in sheep's wool." One old friend of my earlier days used to tell me, "We boys all liked him; he always had a kind word for us, and we called him Daddy Thomas." A sainted mother used to tell us how "the girls were always glad to see him come; he had such a cheerful kindly spirit." They all spoke of him as a "jovial, friendly old man to young people."

He had a daughter who married and lived in Britton's Neck, near the confluence of the Pee Dee's fifty miles or more from his residence in Marlboro, and when grandmother had "gone to her reward" and his "children all grown up," he used frequently to visit that far away daughter, preaching at two or three points going and returning. And while on one of these visits in his 84th year, he grew sick and soon passed away, and his Britton's Neck friends brought his remains fifty miles across the country and buried them beside the wife of his youth.

No one of his nine sons of this venerable patriarch entered the gospel ministry, although several of them were noted for their piety; but of his grandsons five at least are known to have lived

to old age in the sacred calling—all now gone to the spirit-land except the writer. And of the great grandsons, as it ought to be, a yet larger number are upon the watchman's post doing duty in the warfare against satan and sin. Seven are known of this generation thus engaged, only one of them, however, divides with me the responsibility of reaping where our honored ancestor sowed the precious seeds of gospel truth. I mean my esteemed friend and kinsman, Rev. L. M. Hamer of the Methodist Episcopal Church, South; and soon we shall be gone.

May God grant that as long as his gospel shall be preached on earth he may never lack a man on Zion's heights in whose veins shall flow the blood of our old grandshire; and may he make the preachers of coming time far more godly, wise and useful than the old leaders gone before, or than we, who by his grace, have entered into their labors.

Time now to lay aside my worn pen and rest a while; and yet, in writing of these fathers, I have in memory not only had a short pleasant season with some of them once known and loved, but with many another precious friend at whose feet I have sat while they told me of the dear ones "gone before." And if this perusal has helped to lighten the burden of years that weigh upon the spirit of any old saint, then I am content to bid you readers adieu for the present.

PLEDGER FAMILY OF MARLBORO COUNTY.

Among the early families which bore a distinguished part in the affairs of Marlboro County before, during and immediately after the Revolutionary War, was that of Pledger. The name is now extinct in this State, though it is well known that the Pledger blood flows in many other families bearing other names now living in Marlboro County. According to Gregg's history of the Old Cheraws, Philip Pledger came to Marlboro County about 1752 and settled above the Welch Neck on the east side of the Pee Dee River. A very interesting passport or letter of recommendation given to Philip Pledger by Charles Irby, a Justice of the Peace of Amelia County, Virginia, is copied by Gregg. This author states that Philip Pledger married a Miss Ellis of Virginia, and that he had two sons, Joseph and John, and two daughters, and that one of the latter married James Hicks and the other married, first, a Councill and afterwards William Terrill. There is perhaps no way now definitely to establish the fact that Captain Philip Pledger had other children than those above mentioned by Gregg. It seems beyond question that Captain Philip Pledger disposed of his large estate by a last will, but this paper cannot be found recorded in Marlboro County. There are, however, several references to it in deeds executed by him from time to time to his children and in the old equity case of James Pouncey *et al.* against Jesse W. Pledger in the year 1817. This case recites the will and the legacy to his son, John Pledger, as follows: "I lend to my son, John Pledger, during his natural life, the following negroes, and, after his death, to be equally divided among the heirs of his body." There is also to be found in the office of the Judge of Probate a very fragmentary record of his estate. It is likely that in this will he named General Tristram Thomas his executor, and it is certain that Captain Philip Pledger died before the year 1787. There is probably no doubt of the fact that Anne Pledger, one of the daughters of Captain Philip Pledger, married General Tristram Thomas and predeceased the latter. This statement is made on the authority of a certificate appearing in the record of the estate of Tristram Thomas by Major William Pledger,

who gave evidence to this effect. It is also likely that Susana Bingham, the wife of Thomas Bingham, was a daughter of Captain Philip Pledger. The reason for making this statement is that in the fragmentary record in the probate's office of the estate of Captain Philip Pledger it appears that two sums of money, to-wit: thirty-nine pounds at one time and three pounds at another, were paid to Thomas Bingham "in part of legacy." In addition to the sons above named by Gregg, to-wit: Joseph and John, there is small doubt of the fact that William Pledger was also a son of Captain Philip Pledger. The former executed several deeds in which he conveyed lands and described them as the same devised to him in the last will and testament of Philip Pledger, and in Book G of Deeds, page 367, William Pledger speaks of Philip Pledger as his father. It is stated, though there does not seem to be any available evidence of it at this time, that Jesse Vining also married a daughter of Philip Pledger. If this be true, her name was probably Phoebe Vining. It is quite certain that about the year 1795 there were two brothers, Jesse and Thomas Vining, living in Marlboro County. Jesse Vining was probably a man of some importance and appears to have been well educated for his time. Administration of his estate was granted to Phoebe Vining June 20th, 1800. His personal estate was valued at five thousand, thirty-one dollars and included seventeen slaves. Jesse Vining had three sons, John, who died unmarried, Thomas A. Vining and Jesse P. Vining.

Reverting again to the fragmentary record of the administration of the estate of Captain Philip Pledger, Sr., the chief papers to be found in it are old accounts. One of these, for the years 1787-89, is evidently in the handwriting of General Tristram Thomas, the executor named in the will, and presents indisputable evidence of the fact that the latter was a well educated man and wrote a firm, legible hand. The only commodity which seems to have brought in money was indigo. Three hundred and five pounds of indigo seems to have sold for thirty-eight pounds, two shillings and six pence. It is probable that most of the trading was done with Herriott & Tucker, merchants of Georgetown. Ten pounds was paid to John Pledger "on account of his legacy," forty-three pounds was paid to William Fields in part of his legacy, one hundred pounds was paid to Robert Allison for his legacy.

Another statement is: "Received of Mr. Bay in case of Fields

and estate." This would indicate that there was some litigation on the part of Fields against the estate, and, in another place, mentioned a small sum paid to Thomas Bingham as a witness. Dr. Wilson (probably Dr. James P. Wilson, of Long Bluff), was a physician during this time. That is, the year 1785. Dr. Leavenworth was also a physician. It seems that a suit was brought by Vining, either against Philip Pledger or his estate. There is also an entry of one pound, one shilling and nine pence paid to Lawyer Perkins in the suit against Joseph or Joshua Hodges. It is likely that James and William Pledger went to school in Georgetown, as there is a statement of the payment of their boarding expenses. It is also likely that the person with whom they boarded, James Johnson, was a lawyer, as he was paid one pound, one shilling and nine pence "for drawing a set of titles." There is also an entry showing that Lawyer Perkins was paid one pound, one shilling, and nine pence "for speaking to Vining suit." Also, in a separate statement as being paid for William Pledger by Joseph Pledger, who was then the acting executor, is the following: "May, 1786, cash lent you when you were married, nine shillings and four pence."

The wife of John Pledger, the son of Captain Philip Pledger, was Sarah Pledger, and her name before marriage is not known. The children of John Pledger were, first, Philip Pledger, who died during the life of his father, John, leaving his widow, Sarah Pledger, his children, Mary Pledger, who married James Pouncey, son of Major James Pouncey, Elizabeth Pouncey and John Pledger, all of whom were under twenty-one years of age in 1816; also Philip Pledger and Josiah Pledger, who died subsequently to the death of their father, John Pledger. Second, Elizabeth Pledger, who married Edward Smith, and was dead in 1816, leaving the following children: Sallie Smith, Betsey Smith, Edward Smith, Harriett Smith, Nancy Smith. Mary Smith and Stephen Smith. Third, John Pledger, who died, leaving his widow, Mary, surviving, who subsequently married William Kerwin and Jesse W. Pledger, a son of the last named John Pledger.

The above named John Pledger, the son of Captain Philip Pledger, was a distinguished character in the Revolutionary War. He was a captain in Colonel Benton's regiment. He was likewise a member of the Jacksonboro Assembly, the first Legislature held after the British capture of Charleston.

Joseph Pledger, another son of Captain Philip Pledger, died prior to February 4th, 1789, as the citation or letters of administration were published at that time. It is likely that his wife was named Elizabeth, but her name, before marriage, cannot be given. Some time before March 3, 1790, Elizabeth Pledger, widow of Joseph Pledger, seems to have married Robert Allison. William Henry Pledger was the son of Joseph Pledger and his wife, Elizabeth. Robert Allison was born of the second marriage. Whether there were other children of either of these marriages is not now known, though it is certain that William Henry Pledger was born of the first and that Robert Allison was born of the second marriage of Elizabeth Pledger. The wife of William Henry Pledger was Sarah Pledger.*

Besides the daughters above mentioned, other daughters perhaps married Thomas Bingham, Jesse Vining, and Tristram Thomas. There is no doubt of the fact that Elizabeth Pledger, the daughter of Captain Philip Pledger, married a man named Counsell. It is not certain whether his name was Henry, William or Samuel Counsell. The probability is, however, that it was one of the two latter. Henry Counsell died about 1784, leaving two sons, William Counsell and Samuel Counsell, and perhaps other children, and it is likely that Rachel Counsell was his widow. One of these sons, William or Samuel, very likely married Elizabeth Pledger. The child of this marriage was Jesse Counsell, whose will is dated July 10th, 1802. In this will he left to his half-sister, Jincey Fields, his half-brother, James Fields, and his half-brother, John Terrill, certain property. There is probably no doubt of the fact that his mother, Elizabeth, married both William Terrill and afterwards William Fields. Jincey Fields, above named, married John Donaldson.

It is likely that Philip Pledger, the son of John Pledger, and the grandson of the original Philip, married Hannah Evans, daughter of Josiah Evans, who left a will in which he devised his property to his wife, Katherine Evans, and, after her death, to their daughter, Hannah Evans. It seems that Hannah Evans Pledger, after marrying Philip Pledger, Jr., died in 1802, leaving

*Joseph Pledger, the son of Capt. Philip Pledger, Sr., saw service in the Revolutionary War. He was a lieutenant in Col. William Thomson's Regiment of Rangers (Third Regiment), which was one of the three regular regiments raised upon the outbreak of war. Lieutenant Pledger is said to have resigned (see Salley's History), and it is probable that after this he participated in the fighting on the Pee Dee. Major Wise, Capt. Donaldson and many soldiers from Marlboro served in Col. Thompson's regiment.

her husband, Philip Pledger, and her children, Mary, who married James Pouncey, as above shown, Elizabeth Pledger, John Pledger, Philip Pledger and Josiah Pledger. It seems that Philip Pledger, Jr., married the second time, Sarah David, the widow of Benjamin David, and that Sarah David had already, by her first husband, Benjamin David, the following children: James, Benjamin, Sarah and Elizabeth. Sarah David was originally Sarah Kolb, or sister of James Kolb.*

Jesse W. Pledger, the son of John Pledger and the grandson of John Pledger, son of Philip Pledger, Sr., had moved away from South Carolina in 1816. It may be that he moved to the State of Arkansas, where he undoubtedly received a grant of public lands as a military bounty for service rendered as a soldier, probably in the War of 1812.

William Pledger, known as Major William Pledger, was also a son of Captain Philip Pledger, who served as Sheriff of Marlboro in 1792, and as Clerk of Court *Pro Tem.* in 1824. His will, dated August 10, 1825, was probated January 13th, 1826, showing that he was dead on the latter date. His wife was Elizabeth Irby, a daughter of the first Charles Irby. His sons were William Ellis Pledger, Philip William Pledger, and his daughter, Mary Ann Emanuel, the wife of Joel Emanuel. The wife of William Ellis Pledger was Mary Ann Pledger. It seems that William Ellis Pledger lived at one time in the town of Cheraw and was perhaps engaged in the mercantile business there. He seems to have owned a great deal of property in 1845. His wife, Mary Ann Pledger, seems to have resided in the city of Montogorda, in the Republic of Texas. William E. Pledger sold large tracts of land to James Donaldson, of the city of New York, in 1832, and in 1845, Mrs. Mary Ann Pledger renounced dower to Mr. Donaldson. The last surviving male member of the Pledger family of Marlboro County was Philip William Pledger, a son of William Pledger. Philip William Pledger married Mary A. Graham, the daughter of Ananias Graham. There were no children born of this marriage.

James Hicks married one of the daughters of Captain Philip Pledger, Sr. It is probable that James Hicks was a son of Colonel George Hicks, and two of his children, perhaps the daughters of his marriage with Miss Pledger, were Sarah and Nancy Hicks.

*Katherine Evans, widow Josiah, married, the second time, Rev. Edmund Botsford. Issue: Catherine, who married Moses Fort.

WILLIAM THOMAS.

William Thomas was one of the most prominent men of Marlboro County in the Revolutionary period. His family became extinct many years ago, and his name and fame will soon be forgotten unless local history pays his memory the tardy justice of recording the few facts that are now available respecting his life and career. In the stirring days of the Revolutionary struggle, William Thomas was a man of power, influence and wealth; yet, such are the changes wrought by time, that today few remember his name and no living descendant cherishes his memory. It is impossible, after the lapse of a century, to do anything more to rescue his name from oblivion than to set down in bare outline the meagre facts that are known of his career.

It is practically certain that William Thomas was born in Queen Anne County, Maryland, on the 10th day of October, 1746. His mother's name is not known, but it is probably beyond question that his father was Philemon Thomas, who was born December 19th, 1720. The parents of Philemon Thomas were Tristram Thomas and Jane Thomas. Tristram Thomas was the son of Thomas Thomas and his wife, Elizabeth Thomas. Thomas Thomas was the son of Tristram Thomas and Anne Thomas, who originally resided in Talbot County, Maryland. As stated above, the name of the mother of William Thomas, the subject of this sketch, is not known, but there is a possibility that her name was Elizabeth Thomas. There is a deed recorded in the Clerk's office of Marlboro County, in Bennettsville, showing that on the 14th day of February, 1795, Philemon Thomas and his wife, Elizabeth Thomas, conveyed certain lands to Marcy PeGues and others. In this deed Philemon Thomas speaks of himself as being a resident of Richmond County, North Carolina, and the record may be seen by reference to Book E of Deeds, page 73. The chief evidence upon which the statement is made that William Thomas was the son of Philemon Thomas is the declaration contained in a deed from William Thomas to Philemon Thomas, dated June 1, 1779, recorded in Book AA of Deeds, page 393, that Philemon Thomas was the father of William Thomas. The latter conveyed to his father, Philemon Thomas, a large tract of

land for the consideration of six thousand pounds, and it was a part of this same tract, one thousand acres thereof, which Philemon Thomas and his wife, Elizabeth, afterwards conveyed to Marcy PeGues and her children, who were the heirs of Claudius PeGues, deceased. The father of Philemon Thomas was Tristram Thomas. The will of the latter, a copy of which is in the author's possession, was dated December 13th, 1745, and is recorded in the office of the Register of Wills for Queen Anne County, Centreville, Maryland. Two of the items of this will read as follows:

"Item. I give and devise unto my beloved son, Philemon Thomas, and his heirs and assigns forever, sixty acres of land adjoining upon the main branch of Tuckahoe Creek, being also part of the said tract of land called 'Hawkins' Pharsalia,' and running with a straight course across my plantation as far as will mark the said quantity of sixty acres, provided the said quantity of land includes not any of the buildings on my said plantation."

"Item. I will that my son, Philemon, shall be allowed, out of the orchard of my homestead plantation, one-third part of the fruit thereof, for a space of ten years after my death. Also I give and bequeath unto him a good feather bed and comfort, rug and pair of blankets and a good pair of sheets."

It is not known when or under what circumstances William Thomas departed from Queen Anne County, Maryland, and came to South Carolina and this section of the country. It is most probable, however, that he and many of his kinsmen decided about the same time to seek their fortunes elsewhere, and that following the tides of emigration flowing southward, they came through Virginia and North Carolina, leaving numerous members of their family to settle in each of these States. It is certain, however, that several of the sons or grandsons of Tristram Thomas, of Queen Anne County, reached Marlboro County, in South Carolina, between 1750 and 1770. The Reverend Robert Thomas is supposed to have come to Marlboro County about 1750. It is certain that his brother, General Tristram Thomas, was in Marlboro County as early as 1770, for in that year, he, along with other patriotic citizens of Saint David's Parish, subscribed to a public fund for the encouragement of domestic manufacture. It is probable that William Thomas was seized with the restless spirit of adventure and fared forth in his early man-

hood to make his fortune in the more unsettled country to the south of Maryland. It is therefore probably safe to assume that he reached Marlboro County between the years 1765 and 1770. Bishop Gregg, in his history of the Old Cheraws, has a very brief notice of him in the following words: "William Thomas, of another branch of the same family, emigrated about this time from Maryland. He came as an adventurous youth and found a kind friend in Col. George Hicks. While living with Colonel Hicks, he married his niece, a Miss Little, who was possessed of a good property. He settled to the east side of the river, a few miles above Cheraw, and amassed a large fortune. He had one child, a son, William Little, who married Clarissa Benton. The fruits of this marriage were two sons, William L. and Alexander. The father, William L. Thomas, was a man of brilliant talents. The name of this branch of the family has become extinct."

William Thomas was extremely fortunate in enlisting the friendship of, and forming a family alliance with, Col. George Hicks, who was not only one of the most prominent and wealthy men of the Pee Dee section, but was likewise distinguished for his benevolence and many other noble traits of character. None of the early men of prominence stood higher in the affection, esteem and respect of the community than Colonel George Hicks. Bishop Gregg states that he came from Virginia about 1747, bringing with him a considerable number of slaves and that he took up large tracts of land. While the name of Hicks is now extinct in this county, a large number of the oldest families of the county derive their descent from him. As stated by Gregg, William Thomas married the niece of Colonel George Hicks—his sister's daughter, Sarah Little. Colonel Hicks' sister, Catherine, married William Little, who was evidently a man of large means and who seems to have died before 1790. Whether William Little was in the party which came with Colonel Hicks from Virginia in 1746 or whether he afterwards met and married Catherine Hicks, we do not know. The former supposition is more likely to be correct for, according to Gregg, the Council to whom Hicks' petition for land was addressed in 1747, found that three of the persons mentioned in the petition were not of Hicks' own family "but his sister's children." William Little and his family probably lived in Richmond or Anson County, North Carolina. The name Little, while well known in the latter State, has never been associated with Marlboro County. Part

of the lands of William Thomas and his residence were in that part of Marlboro near the Richmond County line, and it is therefore easy to assume that William Little was of the latter county. On September 21, 1765, William Little, speaking of himself as a resident of Craven County, Province of South Carolina, conveyed land to John Hicks, who may have been his brother-in-law.

Sarah Little became the wife of William Thomas, and Elizabeth Little, her sister, became the wife of Morgan Brown. Thus these two prominent men of that early day became connected by the ties of marriage. The lands of Morgan Brown, William Thomas and Claudius PeGues all lay together in the upper part of Marlboro County. Morgan Brown, it will be remembered, was a conspicuous figure immediately after the Revolutionary War. He was one of the first County Court Judges upon the organization of the Court in 1785, along with Colonel Hicks, Claudius PeGues, Tristram Thomas and others. Again, when the number of Judges was reduced to three in 1791, the three were Morgan Brown, Tristram Thomas and William Thomas. On November, 1784, and in November, 1786, Morgan Brown was elected as a representative, and in November, 1788, was elected Senator and served for two terms. Then, after the adoption of the Constitution of 1790, Morgan Brown was elected Senator, along with Robert Ellison, the former drawing the four-year term. About this time Morgan Brown sold most of his lands to his brother-in-law, William Thomas, and it is not unlikely that he moved away from the county, as there is no subsequent record of him.

Nothing is known of any part taken by William Thomas in the active military operations of the Revolutionary War. He was certainly young enough to have participated in this struggle, but, as already indicated, it is not absolutely certain that he was in this county prior to, and during, the time of the war. The stronger weight of probabilities, however, would indicate that William Thomas was well established as a man of prominence and influence during the entire period of the Revolutionary War, and that he arrived in Marlboro County some time during the dates above mentioned; that is, between 1765 and 1770. One of the chief reasons for making this statement is that in the year 1781, when the first Legislative Assembly of the almost emancipated colony was held, William Thomas, as Senator from St. David's Parish, was given the place of chief honor, and even took

precedence over such martial heroes as Colonel Lemuel Benton, Major Tristram Thomas, Captain William DeWitt, Captain Claudius PeGues, Jr., Captain John Pledger and William PeGues, one of the most prominent citizens. When the important and distinguished character of this first legislative assembly is remembered, it is probably not too much to say that the election of William Thomas, as Senator, establishes the fact of his satisfactory standing in the community with reference to the Revolutionary struggle. It is impossible to appreciate, at this distance of time, the important position that must have been assigned in the minds of the people to this first legislative gathering, which is now known and distinguished in history as the "Jacksonboro Assembly."

The long and weary struggle was not yet over. The invaders had not yet been expelled from South Carolina, but the prospect of a speedy and complete victory was plainly visible. In the latter part of the year, 1781, Governor Rutledge issued a proclamation for the Legislature to convene at Jacksonboro, in Colleton County, where it might be protected by the American Army from capture at the hands of the British. It has been charged that Governor Rutledge, who had dictatorial powers, named the members who sat in this Convention. This charge, however, is flatly contradicted by Mr. McCrady in his history of the Revolution, and he stated that elections were held throughout the State and that the membership of this distinguished body represented the free choice of the people themselves. Whether the members were selected by Governor John Rutledge or elected by the people, there is no doubt of the fact that they were chosen only because they were known to be true and tried patriots and the best available men for the responsible positions they were to occupy. When the long and cruel nature of the Revolutionary struggle is remembered, and the fact that this was the first public evidence given to the world of the success of the Revolution, it is easy to understand that membership in this body should be regarded as the highest public honor and one to be bestowed only upon the most deserving, able and distinguished citizens. McCrady, in speaking of this Assembly, says: "A more distinguished body of men never before, and never after, met in the State of South Carolina nor perhaps in any State of the Union." William Thomas was at that time thirty-five years of age, and St. David's Parish, the territory he was chosen to repre-

sent, embraced the present counties of Marlboro, Darlington and Chesterfield. For him to have been selected to represent this district, which had played such an important part in the Revolutionary struggle, and for him to have been chosen for the chief position of honor and distinction over the distinguished participants in that struggle, is the highest evidence obtainable of the respect and esteem in which William Thomas was held by the community. Members of the Jacksonboro assembly were, no doubt, elected according to the provisions of the State Constitution of March 19, 1778. Under this Constitution no person was eligible to a seat in the Senate unless he was thirty years of age, had been a resident of the State at least five years, was of the Protestant religion and possessed in his own name, clear of debt, a settled and freehold estate of at least two thousand pounds currency. Senators were elected to serve only one year while members of the House of Representatives served two years. No record available to the author gives the names of the six Representatives and Senator from St. David's Parish in the legislative meetings of January and July, 1779, and January, 1780.

At the election held in November, 1782, Tristram Thomas was elected to succeed William Thomas as Senator. Again, however, in November, 1786, William Thomas was returned to the Senate, although he was opposed by Dr. James P. Wilson, a distinguished and useful citizen, who lived at Long Bluff, in what is now Darlington County. He was again elected Senator in November, 1787. Before this time, in 1784, William Thomas, Col. George Hicks and Mr. Robert Lide, all of whom were among the most important men of the entire Parish, were elected Commissioners of Caveats for Cheraw's District. This position was probably in connection with the sale of lands. When Marlboro, Chesterfield and Darlington Counties were created out of old St. David's Parish in 1785, it seems that no change was made in the method of choosing Representatives, but the three counties jointly continued to elect their members and Senators. In 1790, however, a new Constitution was framed, and in it a change was made in the method of choosing members of the House, and, from this time on, each county selected its own members, but the three counties together selected two Senators to represent them jointly. In October, 1796, William Thomas and his first cousin, General Tristram Thomas, were elected Senators. At the session of the Legislature held in November, 1796, William Thomas

was elected one of the eight electors to cast the vote for president. There is probably no doubt that William Thomas was strongly Federalist in his politics and that he voted with pleasure for John Adams. Again, in 1798, William Thomas and John McIver represented the three counties as Senators under the new Constitution adopted in 1790.

In addition to the other public positions occupied by William Thomas, he served as Judge of the County Court for Marlboro County. The County Court Act for South Carolina was passed during the year 1785—the same year that saw the dismemberment of old St. David's Parish and the creation of three new counties out of the territory that had composed it. These County Courts were the first ever held in Marlboro County. The old Court of Common Pleas for the entire Parish of St. David's had been, and continued to be, held at Long Bluff, now in Darlington County. While, of course, the County Court was of limited jurisdiction and the Judges in most cases had not received the benefit of a legal education, yet too much emphasis cannot be laid on the importance and responsibility of the duties they were called upon to perform. The leading men in each of the counties were selected for the positions of County Judge. In the year 1790, the County Court Act was entirely remodeled, and the number of judges was reduced to three. "Three Judges or Justices of the County Courts were chosen for each county by joint ballot of the two Houses of the Legislature to preside in the respective courts which were held semi-annually for the trial of the causes." The number of Judges, having been thus considerably reduced, the importance and responsibility of the position was correspondingly increased. In January, 1791, the Legislature elected as County Court Judges for Marlboro, Morgan Brown, Tristram Thomas and William Thomas. The position held by the County Judges should not be confused with that of Justices of the Peace, for at the same time that the three gentlemen above named were elected County Judges, nine others were appointed as Justices of the Peace. The County Court was invested with jurisdiction for the determination of all causes at common law to any amount where the debt was liquidated by bond or note of hand or where the damages in certain actions did not exceed fifty pounds. In criminal cases, however, their jurisdiction was extremely limited. In addition, they were invested with the power and authority of erecting court houses

and other public buildings and had the right to levy taxes to pay for the same. The roads and ferries, taverns and public houses were all subject to their jurisdiction. All bills of indictment were presented by regularly empanelled grand juries and petit juries were also drawn for each term of the court. It is probable that William Thomas did not long continue to hold the position of County Judge, for we find that in 1794 he resigned and Thomas Evans was appointed in his stead.

William Thomas had only one child, a son, named William Little Thomas. It is said that the son, William Little Thomas, died early in life, that he was a man of brilliant intellect and gave promise of a distinguished career. He married Clarissa Benton, the daughter of Colonel Lemuel Benton. It is interesting to observe this marriage, which took place between the son of William Thomas and the daughter of Colonel Lemuel Benton, for the reason that General Tristram Thomas, who was an associate and first cousin of William Thomas, was the life-long rival of Colonel Benton. Great hostility was engendered between Lemuel Benton and Tristram Thomas at the time the latter was promoted over the head of the former to the position of Brigadier General of the Pee Dee Militia. It is also said that the early issues of the Charleston Gazette show that General Tristram Thomas was a frequent candidate for Congress and perhaps he was more than once an opponent of Colonel Benton for this position. William Little Thomas was elected Sheriff of Marlboro County March 2, 1796, but it is probable that he served only a short time. His name does not appear in the list of Sheriffs compiled in the History of Marlboro County, but there is no doubt that he held the office. Only two children were born to William L. Thomas and his wife, Clarissa Benton. Both of these were sons and both died in their early manhood without leaving any issue. Alexander Hamilton Thomas died on the first day of April, 1826, in the twenty-second year of his life. His brother, William Benton Thomas, was born on the 4th day of September, 1804, and died January 18th, 1825. William Benton Thomas married Miss Jane McQueen, of Chesterfield County, but did not leave any children surviving him. After his death, his widow married John Campbell, for a long time a distinguished member of Congress from Marlboro County. William Little Thomas, the father of these two sons, died May 17, 1819. His widow, Clarissa Benton, after his death, married a

Mr. Jennings. She was born on the 28th day of February, 1781, and died on the 8th day of September, 1823. William Thomas, his son, William L. Thomas, Clarissa H. Jennings and her two sons, are all buried in the churchyard of old St. David's Church at Cheraw, S. C.

At the time of the death of William Thomas, on the 14th day of October, 1820, he had accumulated greater wealth than any man that had ever lived in the county up to that time. Indeed, it is not unlikely that he left a greater estate than any man that ever lived in the county. At the time of his death, though his son, William L. Thomas was dead, he left surviving his two youthful grandsons, and it was to them he willed and devised the great bulk of his property. It is a sad commentary on the uncertainty of human affairs, that neither of these young men lived long enough to obtain very much benefit or enjoyment from the vast estate which seems not to have been settled until after their deaths. The inquiry naturally arises as to the final disposition of this great estate in the failure of lineal heirs of William Thomas. It would seem likely that John Campbell, who married the widow of the only surviving son, must have come into a considerable portion of the property. This gentleman, however, while he had a large inheritance from his own father, proved improvident in the management of all property which came into his hands, and it is very likely that, at the time of his death, most of the property which came into his possession had been scattered.

The will of William Thomas was recorded in the office of the Probate Judge for Marlboro County October 30th, 1820. This will shows that William Thomas owned large and valuable plantations, situate in the counties of Richmond and Anson in North Carolina, Marlboro, Chesterfield and Darlington in South Carolina, and also valuable lands in Queen Anne County, Maryland. All of these plantations were well stocked with horses, mules, cattle, hogs, sheep and farming implements. In addition, the testator had on each plantation great numbers of slaves. Besides his real estate and farming stocks, he owned other valuable personal property, such as silver plate, bonds and other evidences of indebtedness, including shares in the Bank of the United States. He named as executors of his will, in so far as his North and South Carolina property was concerned, Captain Malachi Pegues, of Marlboro County, Christopher B. Pegues, of

Chesterfield County, Pleasant H. May, Esq., Attorney at Law, of Chesterfield County, Benjamin Chairs, of Anson County, North Carolina, and Nathan B. Thomas, of Marlboro County. As executors of the will for the Maryland property, he named Samuel Thomas, son of Samuel Thomas, living at Cantwells Bridge, New Castle County, State of Delaware, and Dr. George Washington Thomas, living in Chestertown, Maryland. He provided for Pleasant H. May, one of the executors, and a lawyer, to receive the sum of seven thousand dollars as a fee for his services. Perhaps the most striking feature of his will, and one that indicated an attitude towards slavery, which seems to have been especially characteristic of the Thomas family in Marlboro County, was the wise and humane provisions made for the gradual manumission of his slaves after the expiration of seven years from his death.

The foregoing sketch is intended to give the brief and scanty outline now available of the life of William Thomas, who must undoubtedly have been one of the most strong and influential citizens of his day. Continued research and inquiry have failed to disclose any more of the details of a life which must have been rich in experiences and achievements which would make interesting reading for the present generation. The home of William Thomas was in the northern end of Marlboro County, near the town of Cheraw, and it is probable that his home place, and part of his valuable lands, are now owned by members of the Pegues family. William Thomas owned Fairy Hill, the estate in Chesterfield County, formerly the property of Charles Augustus Steward, a prominent and influential character of the Revolutionary period. It will be observed, from the reading of his will, that he had half-brothers and sisters with whom he was upon friendly terms, as was evidenced by the legacies he left to them. It would seem difficult for the vast estate which he accumulated and owned at the time of his death to have become so scattered as not to have left behind a great many tangible traces by which more satisfactory information could be obtained of William Thomas, his ancestry and relatives. The last person known to the writer to have been connected in any way with his family was Mrs. Jane Campbell, the widow of John Campbell and of William B. Thomas. She lived to a great age and made her home, up to the time of her death, in Cheraw, South Carolina. It may be that the public offices of Queen Anne County, in Mary-

land, would throw some light upon the final disposition of the Maryland property, which was owned by William Thomas, and thus enable interested members of the Thomas family to establish in a more satisfactory manner interesting details respecting the history of the South Carolina branch of the Thomas family in the State of Maryland. One of the chief objects that the writer of this sketch hopes to accomplish is to enlist the interest and assistance of those who can supplement the facts here recorded about William Thomas and his family with other information.

MARLBORO OLD COURT HOUSE.

The old Court House, erected near the Pee Dee River about the year 1787, is now little more than a tradition. Only a few visible signs are left to tell of the considerable settlement which grew up around this ancient seat of justice—the first ever established within the borders of Marlboro County. Although it is utterly impossible to reconstruct, from the scant material now available, anything approaching a correct picture of this village of the long ago, the present generation may appreciate an effort to collect the few traditions and records relating to the old Court House. For nearly half a century it was the political and judicial center of a new community which had won the right of self-government by war. After enduring for many years the intolerable hardships of Royal Government, with its nearest seat of justice in Charleston, the people had risen in arms and their complete triumph was marked by the establishment of courts which were easily accessible. The Marlboro old Court House was, therefore, a product of the Revolutionary War, and is sacredly associated with the events of that momentous struggle. The valiant soldiers who had fought for liberty and the right of self-government, returned to their homes after victory to establish those governmental institutions which had been denied to them by the far distant royal authority. The romance and glory of the revolution clusters around this departed village of Carlisle, as it was called. Those gallant leaders who suffered the sacrifice and displayed the heroism necessary to win victory upon the field of battle, were the founders of the new village; though today it is only a memory and a tradition, it yet lives in the exalted ideals of a community which there first set up organized self-government. If all memory and knowledge of this ancient village should die in the minds of the people, they would lose the romantic background against which were enacted the most stirring and vital scenes of our entire history.

In order to understand the causes which led to the location of the first Court House, near the banks of the Pee Dee River, it must be remembered that when the first permanent settlements were made within the borders of Marlboro County, about the year 1736, they were all in close proximity to that stream. The water

courses of the new land were the great highways upon which the pioneers traveled. There were no other avenues of approach to the interior sections. Some day, perhaps, the gifted pen of a poet or novelist will impress upon the people of Eastern South Carolina the wonderful influence exerted upon their destiny by the silent and turbid waters of the stream, which alone is left as a mighty landmark to present the same appearance as it presented to our ancestors when they first penetrated Marlboro County. For many years after the first settlement, and even for many years after the Revolutionary War, the great bulk of the population resided near the Pee Dee River. It is, therefore, natural to find that the first seat of justice and trading metropolis was located near the banks of that stream.

By an Act of the Legislature passed March 16, 1783, commissioners were appointed in each of the Circuit Court districts to divide the said districts into counties. The commissioners appointed for the district of Cheraw were Lam Benton, Thomas Powe, Tristram Thomas, Claudius Pegues, Jr., George Pawley, Elias DuBois and William Strother. It will be noted from a perusal of the names of the commissioners selected throughout the State, that they were among the most prominent men of their day. Those who represented, or rather lived in the present territory of Marlboro County, were Tristram Thomas and Claudius Pegues, Jr. It would be interesting to know which of these commissioners selected or suggested the names which were afterwards given to the three counties of Marlboro, Darlington and Chesterfield, carved out of the old Cheraws district. It is a striking evidence of the neglect of local history, that no one today can say with certainty, who named the counties of Eastern South Carolina. No one knows the origin of the name *Darlington*, and consequently one of the most beautiful and attractive cities in eastern South Carolina does not know in whose honor it was named. The same observation may be made respecting the origin of the name of Conway, the county seat of Horry County. It is very likely that the commissioners above named, in addition to laying out the counties, gave to them the names by which they have been known ever since. There is, however, no positive evidence upon which a judgment can be based in regard to the naming of the counties. After the commissioners had performed their duties and reported to the Legislature, an Act was passed March 12, 1785, which made a sweeping change in the territorial divisions of

the State. The district of the Cheraws was divided into three counties. That is to say, "one county lying and being on the northeast side of the Pee Dee River, bounding on the said river on one side, the district line of Georgetown on the other side and on the other the North Carolina boundary, and shall be called and known by the name of Marlboro county; one other county beginning at the mouth of Cedar Creek on Pee Dee River, thence up to the head of the southermost branch of the said creek and thence by direct line to the fork of Lynches Creek, being the upper county of the said Southern division of the district and shall be called by the name of Chesterfield; one other county, beginning at the mouth of Cedar Creek, then down Pee Dee River to the district line, thence along the said line to Lynches Creek, then up the same to the fork, being the lower county of the said division, and shall be called Darlington County."

Under the terms of the Act laying off the new counties, it was provided "that the justices of the several counties shall have power to erect or cause to be erected and keep in good repair, within each of their respective counties, one good and convenient court house, with necessary jury rooms and one good and sufficient county gaol of such materials, workmanship, size and dimensions as such justices shall order and appoint, together with a pillory, whipping post and stocks, and shall also have full power to purchase or receive by donation two acres of land whereon to erect the said county buildings for the use of such county." The justices were given power to levy and assess an annual tax on the taxable property of the several inhabitants within the respective counties, for building court houses, prisons, pillories, whipping posts and stocks in the same manner and upon the same principles as the public taxes are imposed."

It was further provided "that the justices of each county, who shall be appointed and qualified, as aforesaid, respectively, shall be authorized and directed to erect the county buildings in the most convenient part of each county respectively, having regard to the form of the county, situation of the inhabitants and convenience of the people, and in order that the establishing of the said court houses may give general satisfaction, two-thirds of the said justices shall concur in the fixing of the several places where the public building shall be erected, and if injustice or partiality shall appear in appointing the place for erecting the said build-

ings, the people shall be redressed upon their application by petition to the Governor and privy council."

It is, of course, not known at this time whether there was any contest as to the place selected for the Marlboro Court House. The site selected was about half way between the upper and lower part of the county and close to the Pee Dee River, which, as the great highway, first attracted, and continued for many years to attract, the settlers. A joint committee of the House and Senate had, on March 21, 1785, reported a list of justices for the several counties. Those selected for Marlboro county were Claudius Pegues, Colonel George Hicks, Morgan Brown, Tristram Thomas, Claudius Pegues, Jr., Moses Pearson and Thomas Evans. Of these, Claudius Pegues, Sr., Claudius Pegues, Jr., Colonel George Hicks and Morgan Brown probably lived in the upper part of the county. It would, therefore, seem that it would have been an easy matter for these four justices to have obtained a two-thirds vote for fixing the place of the Court House. Moses Pearson probably lived in the lower part of the county, and the two remaining justices, Tristram Thomas and Thomas Evans, probably lived in the vicinity of the place chosen.

It seems that the first court house site selected was very near the road to Gardner's Bluff, not very far from the river and very close to the present cross roads leading from Bennettsville to Gardner's Bluff and from Evans' or Matheson's Mill to Cheraw. For some reason the Court House was afterwards moved lower down the river and located near the main road, known as the River Road, and on the upper or northern side of Crooked Creek. On the first day of August, 1787, General Tristram Thomas, who was one of the seven justices, conveyed to "Claudius Pegues, Sr., Colonel George Hicks, Morgan Brown, Tristram Thomas, Claudius Pegues, Jr., Moses Pearson and Thomas Evans, Esqrs., justices of the county court of Marlboro County, two acres of land, situate on the north side of Crooked Creek, beginning at a hickory near the main road leading up and down the Pee Dee River, about a quarter of a mile above the dwelling house of the said Tristram Thomas, and then running east twenty-one polls to a persimmon tree, thence south fifteen polls to a pine, thence west twenty-one polls to a stake, thence north to the first station." It is impossible to state whether this deed covered the ground for the first Court House site or the second one. While the second Court House site was situate on a road leading up and

down the Pee Dee River, it probably was not considered the main road, and, therefore, it is more natural to conclude that this deed covered the lot which was situate on the road to Cheraw, more likely to have been regarded as the main road. This road is known to this day as the River Road, and runs parallel with the Pee Dee River to Cheraw. Another circumstance that lends probability to the view that the above mentioned deed covered the second and not the first Court House site, is that it was made two years after the Act of the Legislature which provided for its erection. The recitals, however, contained in this deed might indicate that it covered the first lot, as they refer specifically to the Act of the Legislature as follows: "Whereas the Honorable, the General Assembly of South Carolina, by an Act entitled for laying off several counties therein mentioned, and for appointing commissioners to erect the public buildings, passed the 12th day of March, 1785, authorized and empowered the justices of the several county courts to purchase or receive by donation, two acres of land whereon to erect the public buildings of the said county." This deed was recorded December 5, 1787, in Book "A" of Deeds, page 175. It was executed in the presence of John Pledger, Joseph Pledger and Nathan Leavenworth. John and Joseph Pledger were the sons of Captain Philip Pledger, Sr., and had each of them borne a conspicuous and distinguished part in the Revolutionary struggle. Captain Philip Pledger, Sr., and his two sons were among the most prominent citizens of their day. It is probable that they were neighbors of General Tristram Thomas, who married Anne Pledger, the sister of John and Joseph Pledger. The other subscribing witness above mentioned, Nathan Leavenworth, was one of the early physicians of this section, and it is interesting to observe, in connection with him, that soon after the organization of the County Court, he acted as solicitor or prosecuting officer in the absence of any attorney to perform the duties of that character.

The first court was held at Gardner's Bluff, on the Pee Dee River, on the first Monday in December, 1785. All of the justices were present and the first business undertaken by them was the election of the officers of the newly created county. Captain John Wilson, a man of wealth, education and prominence, was elected Clerk of Court. This gentleman, as stated by Gregg, "emigrated from Maryland to Pee Dee when quite a young man. He settled on the east side of the river opposite Cheraw, and

entered upon a successful career as a planter. His first wife was the daughter of Colonel Thomas Lide." He saw active service in the Revolutionary War, and had served as sheriff for Cheraaws District. His last will is recorded in the office of the Judge of Probate for Marlboro County, and shows that he owned a large estate, consisting chiefly of lands situate in the upper part of the county. This will shows that his second wife was Charlotte Hicks, the daughter of Colonel George Hicks, and that his daughter, Sarah, became the wife of Oliver H. Kollock, a prominent lawyer. His daughter, Eleanor, married James Harrington. His daughter, Anne, married James A. Hart. The first wife of John Wilson was Mary Lide, the daughter of Thomas Lide. John Lide Wilson, who subsequently became Governor and a very distinguished character in South Carolina, was born of this marriage. He first married Charlotte Allston, the sister of Governor Joseph Allston, who married Theodosia, the only child of Colonel Aaron Burr. The second wife of Governor John Lide Wilson was Miss Eden, a ward of Colonel Aaron Burr, for whom he won a famous suit in New York City involving valuable real estate.

As sheriff of the new county, the justices elected John Andrews, who had seen active service in the Revolutionary War as adjutant of Hicks' and Kolb's Regiment. As coroner, the judges elected Thomas Lide, who was one of the most prominent citizens of the community. He was well educated, wealthy and public spirited. As already shown, his daughter, Mary Lide, became the wife of John Wilson and the mother of Governor John Lide Wilson. Gregg states that Thomas Lide was married three times, first to Miss Kimbrough, then to Miss Foster, and finally to a third wife whose name is not given.

The last will of Thomas Lide, recorded in the office of the Probate Judge for Marlboro County, shows that he disposed of a considerable estate, and also that his third wife was Mehitabel Irby Lide. His children were John Lide, Thomas Lide, Robert Lide, Charles Motte Lide, Anne Lide, James Wilson Lide and Mary Wilson, the wife of John Wilson, as already stated. It seems reasonably certain that the third wife of Colonel Thomas Lide was Mrs. Mehitabel Irby, the widow of the first Charles Irby. She was, before her marriage to Colonel Irby in October, 1768, Mehitabel Kolb, and was perhaps the sister of Colonel Abel Kolb. The first clause of Colonel Thomas Lide's will provided

for a legacy of fifty pounds sterling to be annually paid to his widow, Mehitabel Lide. It is stated by Gregg that this legacy was the source of the remarkable and pathetic legal controversy which engaged the erratic genius of Charles Motte Lide. It seems that this will was made by Colonel Lide during his last illness, and it was claimed that the annuity was bequeathed on the expectation of a posthumous heir which was never born. When demand was made by the representatives of Mrs. Lide for the payment of the legacy, payment was resisted on the ground that false representations had been made and undue influence brought to bear upon the testator when he was in a very weak state of mind. It is very likely that Thomas Lide, Jr., a son of Colonel Thomas Lide, married Ann Irby, the daughter of Colonel Charles Irby. She died in 1842 without leaving issue.

At this session of the county court, held on the first Monday in December, 1785, it was ordered that the public buildings "be erected on two acres of ground given by Tristram Thomas, Esq., within a quarter of a mile of his dwelling house, and that George Hicks, Morgan Brown and Thomas Evans, Esqrs., do superintend the laying off of same, and Morgan Brown, Thomas Evans and Tristram Thomas are requested to draw a plan of the public buildings and contract with an undertaker."

Colonel George Hicks was one of the leading citizens of his day. As stated by Gregg, he came from Virginia with his family about the year 1747. He married a widow, Mrs. Sarah Gardiner, a daughter of the Reverend Philip James, first pastor of the Welch Neck Church. He saw active service in the Revolutionary War and rose to the rank of colonel. No man in the entire community seems to have stood higher in the affection and admiration of the people than Colonel Hicks. His last will, recorded in the office of the Probate Judge for Marlboro County, shows that he accumulated a considerable estate. The will, dated January 5, 1793, devises to his son, George Hicks, several tracts of land when he should reach the age of twenty-three years or marry. One of the tracts thus devised was described as the tract "left to me by father, George Hicks." He speaks of his daughter, Sarah, who married William Pegues, but Gregg states that Sarah Pegues was a stepdaughter, being the daughter born to Mrs. Gardiner before her marriage with Colonel Hicks. He also speaks of his daughter, Polly Murphy. She was probably the daughter mentioned by Gregg as Mary Hicks who married Malachi Murphy. His

daughter, Lucy, married, according to the will, William Strother, though Gregg states that Lucy's husband was George Strother. Colonel Hicks also speaks of his two grand-daughters, Sarah and Nancy Hicks, the daughters of his son, James Hicks, also his grand-daughter, Margaret Hicks, who was likely the daughter of his son, George Hicks, who is mentioned in the will. One of Colonel Hicks' daughters married Thomas Godfrey and a devise is made to a grand-son, Thomas W. Godfrey.

Colonel Thomas Evans, above spoken of as one of the first county judges, was a man of great prominence. He served as county judge, as a member of the Legislature, and after the close of the Revolutionary War, was elected colonel of the Thirty-seventh Militia Regiment. It is likely that Colonel Thomas Evans, the elder, married Elizabeth Hodges, who was the sister of Captain George Hodges, a prominent Revolutionary soldier. At least two of the sons of Colonel Thomas Evans, the elder, became men of prominence and distinction. Judge J. J. Evans served as solicitor, judge and United States Senator. His brother, Colonel Thomas Evans, served as sheriff in Marlboro County in 1804, and in the war of 1812 he saw active service as major in Colonel John Rutledge's regiment of State troops, and upon the retirement of Colonel Rutledge, Major Evans was promoted to the colonelcy of the regiment. In 1814 he was elected to the State Senate, having previously served one term in the House of Representatives. Both of these brothers appear to have married DeWitts. Colonel Thomas Evans, the younger, married November 1, 1803, Rebecca DeWitt. Colonel Thomas Evans, the elder, after the death of his first wife, Elizabeth Hodges, seems to have married on March 25, 1800, Wilhelmina Amelia Charlotte Stewart, the daughter of Baron Poellnitz.

At the March term of court, 1786, a grand jury and a petit jury, the first ever empanelled in Marlboro County, were drawn. It was at this term of court that Dr. Nathan Leavenworth was authorized and required to prepare such bills of indictment as might be necessary until an attorney could be procured. At this same term, John Coulson took the oath of allegiance and became a citizen. This was the first time that any foreign citizen was naturalized by a Marlboro court. The first presentment of the grand jury related largely to offences against the public morals. One citizen was presented "for having made several blasphemous expressions on the Sabbath day at the house of Mrs. Simon

Woodruff." The grand jury also "presented as a grievance, that the laws against drunkenness and profane cursing and swearing are not more strictly executed by those in authority, for want whereof we apprehend the morals are much corrupted, and we do return our thanks to the honorable bench for their judicious charge given to the jury at the opening of the session, and do request that the same be printed in the public newspapers."

At the term beginning June 5, 1786, a citizen was indicted for stealing two cow hides. The grand jury found a true bill. The petit jury found him guilty. The court passed the following sentence: "That between the hours of 2 and 5 o'clock, that the offender should receive twenty-five lashes on his bare back, well laid on." At this session of the court it was ordered that a gaol be built by the commissioners with all dispatch on the ground laid off for the use of the Court House for said county, with two rooms ten feet square and ten feet pitch, enclosed by two walls of logs with a vacancy of six inches filled in with loose timber."

At the session beginning December 4, 1786, Mr. William Falconer "appeared in court and produced his admission to the bar in the Superior Courts of this State; it is, therefore, ordered that the said William Falconer, Esq., be admitted to the bar of this court, and it is further ordered that the said William Falconer be appointed county attorney, and that he be allowed thirty pounds, to be paid by the said county, and all lawful perquisites arising from said employment; that is to say, for every bill of indictment, one guinea be paid by the delinquent."

At the term of court held Tuesday, March 6, 1787, "Samuel Lowry, Esq., having produced his admission properly authenticated as an attorney, that he be hereby admitted to the bar of this court as an attorney." At this same term of court the following tariff of rates for tavern keepers was established:

Cold dinner, 10d.

Hot dinner, 14d.

Breakfast and supper, 1s.

Grog with each.

Oats, 2d. pr. qt.

Corn and all other grain, 3d. pr. qt.

Stablage and fodder or pasturage and hay, 6d. pr. night.

Baiting of fodder or hay, 2d.

Peach brandy, 4d. per gill.

Good rum or gin, 4d. per gill.

Northward rum or taffee, 2d. per gill.

All other spirits 3d. per gill.

At the same term of court it was ordered that a tax be levied on all the inhabitants of this county as follows: That is to say, six pence per head on all negroes and eight pence per head on all persons liable to pay a poll tax by the Tax Act of 1786, and also a tax of one-eighteenth part as much as the public taxes levied for the year 1786 on all landed and other property made taxable by said Act to be paid in specie or the medium of this State into the hands of the sheriff, and by him paid into the hands of Captain Evans for the use of this county, and by him to be applied as directed by this court.

At the term of court held June 4, 1787, it was ordered "that the clerk's office be kept at the same place where it has formerly been, and that the clerk do build a house for an office by the next court and move his office to it as soon as finished, and that the clerk be permitted to dispose of the same at any time after ceasing to be clerk of said county."

At the term of court held Thursday, September 6, 1787, it was ordered "that the clerk or his deputy, do appear at the office near Major Thomas' every Saturday until the 6th day of October, and after that, every Thursday and Friday until December term next, attendance to be given from the hours of 10 in the forenoon until 3 in the afternoon."

"At the term of court held Thursday, the 6th day of September, 1787. ordered, that Morgan Brown, Esq., be appointed to have a seal made for the use of this county, with such motto and representation as he may think proper, and that he call upon the County Treasurer for two guineas to be expended about the same, who is desired to take his receipt for said money." At this same term of court, Mr. James Moore was elected sheriff. It was also ordered "that the County Treasurer do pay to Tristram Thomas, Esq., the tax that has been paid for last year."

"Ordered, that Major Thomas and Thomas Evans, Esq., be appointed to inspect the clerk's office and to make report to the next court."

At the term of court held Tuesday, March 4, 1788, Morgan Brown produced to the court a seal with the following emblem: "A cask of indigo, two ears of corn, two half bushels and a pair

of balances, with the words 'Marlboro County Court Seal' in capital letters around the same."

"Ordered, that the above seal be considered as the court seal of this county, and that the clerk do affix the same in future to all writs and other processes issuing out of his office."

"Ordered, that the County Treasurer do pay Morgan Brown the sum of two pounds, eight shillings and six pence, being the amount of Mr. Thomas Abernathy's account for making above mentioned seal."

At a term of court held Friday, March 7, 1788, James Hubbard appeared in open court and produced by petition to the court an affidavit proved and taken before Claudius Pegues, Jr., Esq., setting forth that John Stubbs had lately bit off the ear of him, the petitioner, which petition and affidavit were by the court ordered to be recorded.

To show that corporal punishment was inflicted upon women as well as men, note the following at the term of court held June 3, 1788:

"Elizabeth Sanders was found guilty of larceny by the jury. George Cherry, foreman."

"Ordered, that Elizabeth Sanders be taken by the sheriff to some convenient place in the court ward, and there to receive twenty-five lashes on the back."

At the term of court held Thursday, June 4, 1789:

"Ordered, that Thomas Clinton be, and he is hereby, fined in the sum of three pounds sterling for a breach of the peace made in view of the court, and that he do give sufficient bond to the clerk of this court for the payment of the said fine by next September court."

At the term of court held Thursday, September 10th, 1789, it was ordered that William Driggers be bound as an apprentice to Michael Mason by Major Tristram Thomas, to learn the art and mystery of a blacksmith until twenty-one years of age, and if the said Michael Mason shall refuse to take his indentures, that it is left in the discretion of Major Thomas to bind to any other tradesman as he may think proper in this county.

On Tuesday, December 8, 1789, a committee appointed to let out the public building made the following report: "To the worshipful, the justices of the county court of Marlboro County: The first report of the commissioners appointed to let the county buildings and draw plans of the same is submitted:

Your commissioners have let the building of a gaol of the following dimensions, namely: twenty-four feet long and wide enough to contain two rooms ten inches in the clear and eight feet pitch. The building was let to the lowest bidder for ninety pounds. Major Tristram Thomas became the undertaker, and has finished his work agreeable to contract, which has been received by your commissioners and the keys herewith presented to the court. Your commissioners, therefore, recommend that the County Treasurer be directed to make a settlement with the undertaker and pay him for his services agreeable to our contract with him, and the order of the court for raising the last county tax. Ordered, that the keys be delivered up to the sheriff of the county. At this very same term of court the court proceeded in the election of a sheriff, and William Pledger was unanimously elected. The court proceeding in the election of a coroner, Mr. John Wilson was unanimously elected at the term of court held Monday, December 1, 1788. Mr. Wilson appeared in open court and resigned the clerk's office of Marlboro County, and Morgan Brown, Esq., was required to give up his bond for his performance of said office. The court proceeded to elect a clerk, and Joel Winfield was duly appointed clerk of court for Marlboro County in the room of Mr. Wilson.

At the term held Monday, June 7, 1790, the following order was passed:

"Whereas, Joel Winfield, late clerk of the county, has absented himself from his office as clerk and has neglected to give the necessary attendance in time of court, the court is of opinion that his office became vacant, and, therefore, proposed the election of a clerk, and Drury Robertson, Esq., was duly elected and took the oath prescribed by law." It seems, however, that Drury Robertson did not long remain in office, for at the term held September 9, 1790, "Drury Robertson, Esq., clerk of this court, appeared in open court and resigned his office as clerk of this county. The proclamation was made at the door of the Court House that the office was vacant, and the court proceeded to the election of a clerk agreeable to law. Joel Winfield was duly elected clerk of court for Marlboro County in the room of Mr. Robertson, and was duly qualified as such, agreeable to law. Ordered, that the said Drury Robertson do give up to the said Joel Winfield the papers and records belonging to said office."

"At the term of court held Monday, December 6, 1790, Mr. Drury Robertson produced to this court a commission of his

appointment as deputy clerk in this county, which was read in open court and ordered to be recorded, and he was qualified agreeable to law. At the same term Mr. William Pledger produced to the court his commission as sheriff of this county, which was read in open court and ordered to be recorded, and at the same time he was duly qualified, as agreeable to law."

"At the term of court held December 7, 1790, it was ordered that those persons assessed by this county for building a Court House, do pay this assessment to Mr. Benjamin Thomas in produce, at the following prices: Corn at — per bushel; pork at 14s. pr. cwt., indigo and prime copper 4s. per cwt."

At a County Court of Pleas in sessions began and held for the County of Marlboro at the Court House of said county on the 7th day of March, 1791, being the first court held under the new Constitution, the Hon. Morgan Brown, Esq., one of the judges of said court, produced his commission, which was read in open court and ordered to be recorded, and is as follows: (Then follows the commission of William Thomas, Morgan Brown and Tristram Thomas.)

It appears that the above were the new county judges and a number of justices of the peace were approved and qualified before the said county judges as follows:

Colonel George Hicks qualified as justice of the peace March 8, 1791, before William Thomas, judge of the county court.

Moses Pearson and William Easterling qualified as justices of the peace on the first Monday in May, 1791. On the same day Drury Robertson was approved as deputy clerk and duly qualified as such. It appears that on or about the 2d day of March, 1795, Benjamin Hicks was appointed one of the county court judges. Probably in the place of William Thomas. Thomas Evans was appointed county court judge on the first day of March, 1790, and produced his commission. Also John Jones James was appointed county court judge and produced his commission at the same time and place. The three county court judges at this time were: Tristram Thomas, Thomas Evans and J. J. James.

Robertson Carloss was elected coroner on the 5th day of March, 1796.

At the county court, held the first day of March, 1798, Drury Robertson, Esq., produced his commission as judge of this court and was duly qualified."

The foregoing excerpts, taken from the minutes of the county court, show something of the activities of this old

court, the first one ever held in Marlboro County. Before the year 1769, no courts were held outside of Charleston. The first settlements were made in Marlboro County on the Pee Dee River about the year 1736. It is thus seen that the new community was practically deprived of the aid and protection of all courts save those of justices of the peace for thirty years after its settlement. It was found to be practically impossible to use the far distant courts of Charleston for the adjustment of the controversies that were constantly springing up among the people. Lawless men and thieves, realizing the helpless situation of the scattered settlers, were quick to take advantage of it and made constant incursions to carry off cattle, horses and other property, as well as to commit other outrages of an exasperating character. The settlers finally, in desperation, took the law into their own hands and wreaked summary vengeance upon such outlaws as they could apprehend. The provisional government at Charleston endeavored to check these lawless outbreaks, and, in fact, sent delegations into this part of the State to remonstrate with the people. The Charleston government, however, was very slow in heeding the insistent demand of the people for the establishment of more convenient courts. Finally, however, on the 12th day of April, 1768, relief was finally granted. A new Circuit Court, known as the District of the Cheraws, was created. Its boundaries were identical with those of St. David's Parish, which was created at the same time. This old court sat at Long Bluff or Greenville, in Darlington County. Bishop Gregg states that the first court was held by Chief Justice Gordon and Justice Murray, at Long Bluff, on the 16th day of November, 1772. The Reverend Nicholas Bedgegood preached a session sermon and the people rejoiced at the successful conclusion of the long struggle for the establishment of more convenient courts. All of the court officers were appointed by the Crown. George Gabriel Powell, whose subsequent career was closely identified with the affairs of this section of the State, was soon appointed one of the judges. William Henry Mills, whose loyal principles were then well known, was appointed sheriff. These courts continued to be held at Long Bluff until the outbreak of the Revolutionary War, and then, of course, the administration of justice by judicial methods was entirely suspended. It is very unfortunate, so far as the history of this interesting period is concerned, that the early records of this old court were completely destroyed by fire. This old court,

which sat at Long Bluff, or, as it afterwards came to be called, in honor of General Green,—Greenville, 'was for fifteen years co-existent with the county courts created by the Act of 1785. It is an interesting fact that many of the counties created by the Act of 1785 have since passed out of existence, and even the names are no longer known as designating any territorial division in this State. Some of them were Winyah, Granville, Hilton, Lincoln, Kingston, Bartholomew, Shrewsburg, Washington, Claremont, Winton, Liberty, Lewisburg and Orange. 'According to the terms of the Act, the county courts were to be held once every three months and seven justices for each of the counties were to be elected by the Legislature and commissioned by the Governor. These courts had jurisdiction of all liquidated debts evidenced by notes or bonds; also of all open accounts and other obligations of that character up to fifty pounds; jurisdiction of all criminal cases, except such as were punishable by the loss of life or member. They also had the right to appoint sheriffs, clerks and coroners. All deeds, mortgages and other instruments of that kind were to be proven in open court before the county judges. Both petit and grand juries were provided for and were to be empanelled in the same manner as prescribed for other courts. The county attorney was to be appointed. Tavern licenses and the tariff of charges were all under the jurisdiction of the county court, as were also roads, bridges and ferries and weights and measures. By an amendment passed in 1786, the number of judges was increased to nine, and the county court was also given power to punish larceny by corporal punishment, not to exceed thirty-five lashes. In 1787 it was provided by amendment that the number of judges might be increased to eleven, but that the grand juries were not to be summoned more than twice a year, instead of four times, as formerly.

By the Act of 1791, radical changes were made in the county court system. The number of judges were decreased to three and the court was to sit twice a year for a term of ten days, and in addition to the three county court judges, nine justices of the peace were also appointed. This court was given exclusive jurisdiction of all controversies arising out of any judgment, bill, bond, note or other account liquidated and signed by the defendant, and also exclusive jurisdiction of all other controversies under twenty pounds sterling. Appeals were provided for in cases involving more than ten pounds. All matters relating to

the granting of tavern licenses, appointing commissioners and overseers of roads and bridges, business relating to the poor, the regulation of the police, were placed under the jurisdiction of the county court. It will thus be seen that the early county courts were invested with extensive and important powers. During all of this time, until about the year 1798, the Circuit Court for the District of the Cheraws continued to sit at Long Bluff, or Greenville. About the year 1798 the Circuit Courts of the Cheraws were abolished and the Circuit Courts were directed to sit in the judicial district created by that Act. The three counties, Marlboro, Chesterfield and Darlington, were made new judicial districts for the Circuit Court. In the year 1799 the county court system was abolished. No Circuit Court was ever held in Marlboro County until the abolition of the county courts.

Thus passed away the first judicial system that gave courts directly to the people of Marlboro County. This system was probably far from perfect, but it was invaluable, in that it gave the people ready and economical redress for their grievances. The most prominent men of every community were chosen to serve in the position of county judge, and though in most cases they had no legal training, their judgments, being based upon practical common sense, were probably as satisfactory to the people and as just a disposition of the matters in controversy as any system that could have been devised. It is impossible to do more than give the names of those who served Marlboro County in the capacity of county judges. Some of the early judges have descendants now living in the county, while the name and families of the others are gone. Those first selected in 1785 have already been mentioned. In 1790 the county judges appear to have been Tristram Thomas, Thomas Evans, Moses Pearson, William Easterling and Samuel Brown. Drury Robertson also served as a county judge. In 1791, when the number of judges was reduced to three and their powers correspondingly increased, those elected were: Morgan Brown, Tristram Thomas and William Thomas. As already stated, some of these early judges have descendants in the county today, while others have not. Moses Pearson, Claudius Pegues, Thomas Evans, William Easterling, all have numerous descendants bearing their name. Colonel George Hicks, Drury Robertson, and perhaps others, have descendants, but the name in the male line is probably extinct in this county. The families of Tristram Thomas and William Thomas

are extinct. As already stated, while the county court system was abolished in 1799, it was succeeded by a new Circuit Court system. Courts were no longer held at Long Bluff or Greenville, but they were held in each of the counties making up the District of the Old Cheraws. Of course, as far as Marlboro County is concerned, the Circuit Court continued to be held at the same place as the old county courts. In 1798 the Legislature created the new judicial system and provided that the State should be divided into judicial districts, corresponding in most cases to the counties created by the Act of 1785. Clerks of court were to be recommended by the old county judges and to be approved by the Governor, and the same sheriffs were continued in office. Commissioners for building and repairing the several court houses and gaols were elected by the Legislature. Those for Marlboro County were the following: William Thomas, Tristram Thomas, Drury Robertson, Thomas Evans, Benjamin Rogers. It is not now known whether any material changes were made by these commissioners in the Court House building that was already in use. It would seem likely, of course, that few changes would be necessary, though it may be that the county desired to show its appreciation of a court of more extensive jurisdiction by erecting a more pretentious building. For twenty years from this time, and for thirty-five years, counting from 1785, the courts were held at what was generally designated as Marlboro Court House.

William Pledger, known as Major William Pledger, and a son of Captain Philip Pledger, Sr., served as sheriff of Marlboro County in 1792 and as clerk of court *pro tem.* in 1824. He married Elizabeth Irby, a daughter of the first Charles Irby. His sons were William Ellis Pledger, Philip William Pledger and his daughter, Mary Ann Pledger, who became the wife of Joel Emanuel. Benjamin Rogers was one of the most prominent men connected with the early history of the county. He served as sheriff of Cheraws District in 1786, and in 1808 he was elected sheriff of Marlboro. He also served as Senator in 1804, and perhaps occupied other positions of honor and trust. It is certain that he served in the Nullification Convention of 1832. Nicholas Ware was the other representative of Marlboro County in this important body. Benjamin Rogers was one of a committee of twenty-one who considered the communication of Honorable Benjamin W. Leigh, commissioner of the State of Virginia, to the State of South Carolina. Benjamin Rogers and Nicholas Ware

both voted for and signed the Ordinance of Secession. It is impossible for those of the present generation to understand the bitter strife that accompanied the convention of 1832. It has been stated that no political contest ever waged in the State engendered as much partisan feeling. Benjamin Rogers died about the —— day of May, 1836, leaving his widow, Anne Rogers, Jane Williamson, who married Bright Williamson, Elizabeth Poellnitz, who married Julius Poellnitz, Flora Campbell, Sarah Smith, who married Needham Smith, Mary Rogers, Frances A. Rogers, Benjamin B. Rogers, Henry J. Rogers and Thomas Rogers. The book entitled the "Descendants of Colonel Alexander McAlister," written by the Reverend David McAlister, shows a very full list of the descendants of the old patriarch, Colonel Benjamin Rogers.

Joel Winfield served as clerk of court in 1787. He also served in the position of ordinary—now probate judge. His last will, dated November 22, 1803, shows that his wife was Mary Marler Winfield. That his daughter was Mariah Booth Winfield, and his son, Joel Winfield. His sister was Mary Robertson. It is probable that Mary Robertson, the sister of Joel Winfield, was the wife of Drury Robertson. Mariah Winfield married Dr. James Moffatt, and they resided on the Moffatt tract of land, formed by the intersection of the Society Hill road and the River Road on the north side of the Society Hill road.

Drury Robertson was one of the early county judges, clerk of court in 1789, and one of the most prominent and wealthy citizens of his day. He also served as a member of the Legislature in 1788, 1794, 1796 and 1799. As above stated, it is very probable that his wife was the sister of Joel Winfield. Drury Robertson lived in the upper part of the county and owned large territories of land. It is very likely that he lived upon, or near the spot now known as Easterling's or McLaurin's Mill. His last will, dated August 3, 1820, shows that his wife was Mary Robertson, and his two daughters were Mary Caroline, who married George T. Hearsey, and Anne E. Robertson, who became the wife of William F. Ellerbe, a very prominent and wealthy man.

The will of William F. Ellerbe, probated June 28, 1826, shows that he owned a great deal of property. He speaks of his wife as the daughter of Major Drury Robertson. He bequeathed to his youngest son, Thomas Robertson Ellerbe, \$30,000 in lieu of a share in the land. William T. Ellerbe was his eldest son, and

his other son was Alexander Ellerbe. He also speaks of the Mill Tract, which he and George T. Hearsey purchased from James C. Thomas. This is the place now known as McCall's Mill, which was originally owned by General Tristram Thomas.

Among the early citizens associated with the old Court House was Thomas Bingham. He was one of the first vestrymen of St. David's Parish, and is said to have built the first church. It is probable that his wife, Susannah Bingham, was the daughter of Captain Philip Pledger, Sr. The last will of Thomas Bingham, dated April 6, 1794, shows that one of his daughters was Nancy Thomas, and the other Elizabeth Thomas. He made his wife, Susannah Bingham, and "his beloved sons-in-law, Nathan Thomas and John Thomas," executors of his will. The witnesses to it were Tristram Thomas, Robert Thomas and Joseph Thomas. Nancy Bingham married Nathan Thomas, Sr., the son of the Reverend Robert Thomas. Elizabeth Thomas married John Thomas, who was the son either of Tristram Thomas or Robert Thomas. Nathan Thomas and Nancy Bingham were the parents of Nathan B. Thomas, so long a prominent and wealthy citizen of Bennettsville. Thomas Bingham, in his will, mentions his grandson, Joseph Pledger Thomas. He was probably without doubt the son of John Thomas and Elizabeth Bingham. It is very likely that John Thomas is the same person who served as clerk of court in 1808. A man bearing the name of Joseph P. Thomas died some time during the year 1824 leaving a widow, Anne Thomas, and the following minor children: Charles, Caroline and Elizabeth. The best available evidence seems to support the conclusion that Elizabeth Bingham, the daughter of Thomas Bingham, married John Sands Thomas, who was the brother of Nathan Thomas, both being the sons of Reverend Robert Thomas. The partition of the estate of John Sands Thomas shows that the infant children of Joseph P. Thomas were represented by William Munnerlyn as their guardian *ad litem*.

Another early citizen who was closely identified with the old Court House was Thomas Cochran. His last will, dated December 26, 1817, shows that he had a son named Claudius Cochran, a son, Robert Cochran, and that the latter had daughters named Hannah and Mariah. Other children of Thomas Cochran were: Martha Cargill, wife of Alexander Cargill, Louisa Cochran, wife of H. H. Covington; Margaret Bethea, wife of James Bethea; Rachel Bethea, wife of Philip Bethea. The widow of Thomas

Cochran was Elizabeth, who had been, before her marriage, Elizabeth Hunter, a widow who was born Elizabeth House. Whitmeal D. Hunter was her son by the previous marriage. It is said that Thomas Cochran married first a Council and then a Griffin.

One of the prominent citizens who resided near the old Court House was William Forness. His residence was near Dyers' Hill, on the west side of the River Road, on lands now owned by E. W. Evans. His last will, dated October 22, 1804, shows that his sons were James Forness, afterwards frequently known as Major James Forness, Susannah Forness, who married David Mandeville. It is probable that Susannah Forness first married Enoch Harry, who was perhaps the son of David Harry. William Forness mentioned his granddaughter, Anne Harry, and it is likely that she became the second wife of Samuel Sparks. Major James Forness married Frances Irby. The last will of Major James Forness shows that his children were Laura Forness, who married Madison L. Irby, John Forness, James Forness, Philip D. Forness and Charles Forness. Philip D. Forness married Mariah Irby, the daughter of John Irby.

David Mandeville was one of the early citizens of Marlboro County Court and was engaged in the mercantile business in the town of Carlisle. His last will shows that his wife was Susannah Mandeville, who, as already shown, was the daughter of William Forness. The children of David Mandeville were Mary G. McGilvary, David Mandeville, Martha M. Mandeville, Eliza E. Mandeville, William F. Mandeville and Cornelius J. Mandeville.

Claudius Pegues was also one of the most prominent and wealthy men in the early days of the county. He served as a County Judge, a member of the House of Representatives, and was generally regarded as one of the leading men of the community. His last will shows that he had a large estate. His sons were William Pegues and Claudius Pegues.

Williams Evans was another prominent citizen of this period. His parents were William Evans, Sr., who came to this county with the Welsh Colony people in 1740 with his wife, Anne Evans. The children of William Evans, Sr., were, William Evans, Daniel Evans, George Evans, Thomas Evans, Ella Evans and Polly Huggins. William Evans, Jr., left a will, which shows that his children were, John Alexander Evans, Katherine Evans, Lucy Evans, Elizabeth Evans and Eleanor Evans. The wife of William Evans, Jr., was Elizabeth Vining, who was probably the

daughter of Thomas Vining. Katherine Evans married Daniel McLeod. Eleanor Evans married William Thomas.

William Easterling was County Judge and for many years Ordinary of Marlborough County. He was the son of Henry Easterling and Elizabeth Easterling, and was born in North Carolina, Dobbs County, Neuse River, on the 8th day of March, 1757. His wife seems to have been Elizabeth Sands Covington, the daughter of Henry and Elizabeth Covington, who was born in Maryland, January 12, 1765. She married William Easterling, in Richmond County, North Carolina, April 24, 1783. Their two sons, James Easterling and Henry Easterling, were born in Richmond County on November 24, 1783, and January 10, 1786, respectively. William Easterling moved into Marlboro County, South Carolina, January 25, 1786. His son, John Easterling, was born February 8, 1787. His daughter, Sarah Easterling, was born December 11, 1788. His son, Tristram Easterling, was born July 23, 1790, and died September 10, 1791. Martha Easterling was born February 21, 1792. William Covington Easterling was born October 29, 1794. Joel Easterling was born November 5, 1796. Shadrach Easterling was born June 2, 1798. Bennett Easterling, Samuel Easterling, Elizabeth Easterling and David S. Easterling were also children of William Easterling.

Some of those engaged in the mercantile business at Marlboro Court House were Solomon McColl, John Murdoch, Robertson Carloss, Joel Emanuel, Cornelius Mandeville, David Mandeville, James Feagin. John Murdoch and Solomon McColl were both natives of Scotland, and they were at one time associated in business under the name of Murdoch & McColl. James Fields and John David were also merchants. Either Peter or Nathan Coggeshall was in copartnership with Robertson Carloss, under the firm name of Coggeshall & Carloss. Dr. Alfred Yeomans and Dr. Nathan Leavenworth were two of the earliest physicians. Later Dr. W. C. Ellerbe and Dr. Daniel C. Murdoch were the physicians of the community. The well known lawyers who practiced at Marlboro Court House were Ezra Pugh, William D. James, afterwards solicitor and chancellor; Samuel Wilds, who was born upon Marlboro soil, and afterwards had a brilliant career. He was elected a judge before he was thirty years of age, and, dying before he was thirty-five, he left behind him a reputation for brilliancy of intellect, elevation of character and charm of manner that few have ever attained. There were also Abram

Blanding, John D. Witherspoon, James Ervin, Enoch Handford and others.

It must be recollected that General Tristram Thomas owned all of the adjacent lands. He conveyed numerous lots, but it is likely that only a few of the deeds were recorded. On the 28th day of April, 1817, General Tristram Thomas conveyed to Alfred Yeomans a lot of land lying in the village of Carlisle, containing one acre, beginning at the southeastern corner of Robertson Carloss' lot, fronting on Main street. This deed is recorded in Book "H" of Deeds, page "275." On June 10, 1811, General Thomas conveyed to John H. Thomas a half acre lot in the village of Carlisle, beginning at the western corner of Broad street and the corner of Malachi N. Bedgegood's lot, and bounded by the Public Lot. This deed is recorded in Book "GG," page 102.

On the 9th day of October, 1813, General Thomas conveyed to Coggeshall & Carloss a half acre lot, bounded by the Public street and the lot of Dr. Alfred Yeomans, and described as the same lot formerly occupied by Solomon McColl.

On February 4, 1817, General Thomas conveyed to Robert Lide two lots in the village of Carlisle, one bounded by John Murdoch's lot and the store lot of James Fields, and the other adjoining the Public Lot.

On the 10th day of August, 1812, John Thomas, Jr., conveyed to J. J. Evans a half acre lot in the village of Carlisle. It is quite probable that this lot was the same one used by Judge Evans as a law office until his removal to Darlington County. The price for it was nine hundred dollars. The lot was bounded on the east by lot of Malachi N. Bedgegood, lot of Robertson Carloss & Co., on the north by Broad street, and on the west by the Public Lot on which the Court House stood, on the south by lot of Philip Thomas.

Andrew Smith, well known as a prominent merchant of Chatham, now Cheraw, seems to have purchased a lot of land in Carlisle probably for the purpose of conducting a branch business. It was conveyed to him by Tristram Thomas for twenty pounds, February 10, 1807, and is bounded by the Public street, by the Public Lot, and was described as the same lot conveyed to John Tervell by Malachi N. Bedgegood.

THE CAMPBELL FAMILY.

It is probable that the early history of Marlboro County would be searched in vain for more interesting traditions than those that cluster around the names of Captain Robert Campbell and his two sons, Robert B. Campbell and John Campbell. Both the father and sons were men of unusual and interesting type, and they, in their successive generations, impressed their personalities so strongly upon the affection and admiration of their contemporaries, that the memory of their lives is yet preserved in tradition, though many years have elapsed since they passed away. In the absence of any written memorials of these prominent characters of a long departed generation, it is an impossible undertaking to write a sketch that will worthily recall them to the people of the present. A community, however, honors itself and shows itself to be deserving of true greatness, when it recollects and reveres the memory of its departed sons, who, in their day, occupied positions of importance and contributed largely to the advancement of their State. While this sketch is confessedly inadequate and incomplete, yet, perhaps, it will serve a good purpose by recording the few remaining facts that are now known by living men of the Campbell family which once lived here in prominence and honor, but which today has largely disappeared or scattered to other sections.

Immediately after the Revolutionary War, Captain Robert Campbell, who had been an officer in the British Army, settled on the banks of the Pee Dee River, near Hunt's Bluff. He acquired, in various ways, large territories of land, and, at the time of his death, which probably took place some time in the year 1820, he was a large land owner and possessed considerable wealth in other forms. Although Captain Campbell was probably always known as Robert Campbell, it seems that his full name was Robert Henry Campbell. He was the son of the Rev. Hugh Campbell, of Rothesay, Bute, Scotland. It would seem to be a very easy undertaking to learn full and accurate details of the early life, ancestry and military career of Captain Campbell, because he was probably connected with the powerful Campbell clan, and the British Army records should disclose both his family history and the particulars of his service in the

Revolutionary War. A great many British officers bearing the name of Campbell, saw service in various parts of South Carolina, and several of them were named Robert. This makes it all the more difficult to identify and establish from the information contained in local histories the part that Captain Robert Campbell, of Marlboro County, played in the Revolutionary War. When it is remembered that the historic Seventy-first Regiment, composed of Scotch Highlanders, and among whose officers the aristocratic Campbell family was largely represented, was stationed for a long time at Cheraw, it seems reasonable to suppose that Captain Robert Campbell may have belonged to this regiment. The scant and imperfect history of this regiment, however, found in Brown's History of Scotland, Volume VII, page 314, does not add very much weight to this supposition. It is true that one of the ensigns of the regiment was named Robert Campbell. It is, of course, possible that Captain Robert Campbell may have belonged to this regiment and that, through an oversight of the historian, he was left out of the roster of its officers. There is probably little room to doubt that the officers named by Brown in his history are not all that at one time or another during the Revolutionary War served with this regiment. For instance, it is beyond dispute that Major McArthur and Lieutenant McKenzie, one of whom is frequently mentioned in Gregg's history of the Old Cheraws, were officers of the Seventy-first Regiment; yet, neither of these names is to be found in the list given by Brown in his history of the Seventy-first Regiment. The British Army Registers covering the period of the Revolutionary War show that there were two officers belonging to the Seventy-first Regiment named Robert Campbell—one an ensign in the first battalion, whose commission was dated November 29, 1775. Another was commissioned ensign of the second battalion October 19, 1778, and lieutenant of the same battalion, November 30, 1780. Another Robert Campbell was lieutenant of the second battalion and his commission was dated August 3rd, 1778. History records the fact that Georgetown was garrisoned by a force of British soldiers under a captain bearing the name of Campbell. Whether this was Captain Robert Campbell, it is impossible to say. It will be recollected, however, that Camden and Georgetown were, until the occupation of Cheraw by Major McArthur, the most advanced posts of the British. It is reasonable to suppose that Captain Campbell was connected with

the forces stationed at one of these points, and the more plausible theory is that he belonged to the Seventy-first Regiment, which, for a long time, occupied Cheraw and held the entire Pee Dee in subjection by frequent and bloody forays. The fact is said to be well established that, after the battle of Camden, large numbers of American soldiers fell into the hands of the British as prisoners, and that for some time Captain Robert Campbell had charge of these unhappy captives. It is said that General Andrew Jackson, who was a prisoner, wrote Captain Campbell a letter expressing the appreciation of the prisoners for the kind and humane manner in which they were treated by him. It seems that the British officer who preceded Captain Campbell in this duty had been very harsh and cruel in his conduct to the unfortunate American soldiers who had suffered the misfortune of becoming captives. In contrast to the expressions contained in this letter written by General Jackson, it will be remembered that tradition relates that he once suffered a cruel punishment for indignantly and scornfully refusing to clean the boots of his British captor.

Very scant mention is made of Captain Campbell in Gregg's history. One of the incidents related of him by Gregg is connected with a slave named Cuffy, who belonged to General Henry W. Harrington of the American forces. While the British were encamped at Cheraw, a detachment bound on a plundering expedition, went to the home of General Harrington, in Richmond County, in his absence. They seized all of the property they could find, including a number of negro slaves. Among these was the body servant of General Harrington, named Cuffy. He was highly valued by his master on account of his useful and valuable qualities. General Harrington made many efforts to recapture him, but with no success. The British post at Cheraw, when success began to smile on the American arms, was broken up and transferred to Camden. Cuffy was supposed to have been carried with the British on their return to Camden. "He subsequently passed into the hands of Captain Campbell, a British officer. After the close of the war, General Harrington brought a suit in the Cheraw's District for his recovery. The damages found were very great, and only to be discharged by the delivery of the negro. Rather than to pay the amount, Captain Campbell sent to Jamaica for Cuffy, where he had been transported, and delivered him to his master."

However uncertain we may be as to the details of the military service rendered by Captain Campbell and as to the causes which brought about his settlement on the Pee Dee, we know that, after the close of the war, he established himself very near Hunt's Bluff. There is a tradition to the effect that he received a grant from the king of large landed estates in Canada and exchanged them for lands which he held on the Pee Dee River. He married Lucia Blair, the daughter of Robert Blair. Very little is known at this time of Robert Blair, but it is certain that he was established as a resident of the Pee Dee and probably that part of it that afterwards became Marlboro County, before the Revolutionary War. It is likely, indeed, that he was a man of position, prominence and means before the outbreak of that struggle. He served several times as a member of the grand jury at the Court of Common Pleas, which convened at Long Bluff. The fact that he was a member of the grand jury frequently, conclusively establishes the fact that he was regarded as a man of prominence, intelligence and perhaps of wealth. It is probably beyond question that Robert Blair was opposed to the Revolutionary War and that all of his sympathies were with the British government. At the same time, the reports of the grand juries of which he was a member, seldom failed to include beautiful and eloquent protests against the tyrannical measures of the British government. Judging by the description of his lands, it is likely that he lived in that part of the present Red Hill Township, which, in Revolutionary times, furnished a great many active Tories. At the conclusion of the war, Robert Blair was named in the Acts of Confiscation passed by the State Legislature against those who had aided, abetted and upheld the British cause. This confiscation was compounded and settled by the payment of a large fine. In this connection, the truth of history demands the statement that a great many of the wealthy class were opposed to the war and to the rebellion against British authority. As far as one can judge at this distance of time, it seems that the rank of the Tories were made up of those who had large property interests and were, therefore, opposed to turmoil and revolution and of the lawless and poverty-stricken element, who considered that any change would help them for the reason that their situation could not be made worse than it already was.

Robert Blair seems to have owned large tracts of land situate in Red Hill Township, and near Hunt's Bluff, and in Darlington

County. His last will is recorded in the office of the Judge of Probate of Marlboro County, and indicates that he had three children, two sons, James Blair and Wade Mims Blair, and one daughter, Lucia, who became the wife of Robert Campbell. James Blair afterwards died without issue. It would seem that Wade Mims Blair was absent and his whereabouts unknown at the time of the death of his father, who provided that he should have five years from his death to claim the inheritance mentioned in the will. Wade Blair was probably the father or brother of Robert Blair. Wade Blair, of the Province of South Carolina, made his will September 7, 1763, and seems to have left a legacy of three thousand pounds to Wade Mims. The legacy seems not to have been paid by the executors of the will, Joseph Britton and Robert Blair, and, on October 8th, 1791, Wade Mims made Joel Winfield his agent under power of attorney to collect this legacy from Robert Campbell and Moses Pearson, executors of the will of Robert Blair, who had been surviving executors of the will of Wade Mims. Robert Blair left the great bulk of his property to Colin Campbell, of Charleston, and Moses Pearson, of Marlboro, as trustees, to hold for the benefit of his daughter, Lucia Blair Campbell. It is not at all unlikely that this inheritance from Robert Blair accounted for a considerable part of the valuable property which Captain Campbell came to own. It was certainly sufficient to give him a magnificent start in a new community in which his courage and intelligence afforded him splendid opportunities to accumulate a fortune.

The traditions and existing visible reminders of Captain Campbell, in the community where he lived, show that he lived upon a lavish and magnificent scale, considering the times and the primitive nature of the country. He seemed to have brought with him, and maintained, the standards and the characteristic sports of the English country gentleman. The club house, the marks and signs of which still remain, was a place of amusement and sport established in the vicinity of his home for the purpose of entertaining himself and his friends. Only a few years ago a plainly marked race course was visible at this spot, and imagination can easily depict the stirring scenes that the old club house probably witnessed when rival race horses met there for exciting contests. The inventory of Captain Campbell's estate shows that he owned and enjoyed many of the instrumentalities of luxury and refinement which were very rare in that day. Silver plate,

beautiful old mahogany furniture, a respectable number of books and a magnificent cellar, were mentioned, as well as seventy-five slaves, farming animals and tools. It is not unlikely that along with his other business activities, Captain Campbell was engaged in the mercantile business and in boating upon the Pee Dee River, which, in that day, was the only avenue of commerce and of communication with the outside world. There is to be found on file in the office of the Clerk of Court for Marlboro County the fragmentary record of an old lawsuit between Captain Campbell and John Keith, Esq., respecting a disputed shipment of eighteen hundred bushels of corn, for which Mr. Keith claimed to have paid Captain Campbell twice. Georgetown was the chief depot of supplies and the mart of trade to which were sent the agricultural products of the Pee Dee section. Captain Campbell was probably more favorably situated for the handling of a considerable part of this trade than any other man in his section of the county, and it is, therefore, natural to find that his proximity to the great channel of commerce brought him closely into contact with the refinement, luxuries and elegance of city life.

Captain Campbell, by his marriage to Lucia Blair, had three sons and two daughters. The sons were Robert Blair Campbell, James Campbell and John Campbell. The daughters were Mariah Campbell and Lucia Campbell. It seems, according to the statements contained in Robert Campbell's will, which is recorded in the office of the Probate Judge, that at the time of his death, he was married to a second wife, Henrietta Campbell, and that Annie Campbell and Robert H. Campbell were the children of this marriage. James Campbell and Lucia Campbell both died unmarried. The Campbell family, now living in Marlboro County, is probably descended from Robert Campbell through his second marriage with Henrietta Campbell. This sketch, however, is intended, primarily, to deal only with the issue of the first marriage and, more especially, with the careers of Robert B. Campbell and John Campbell. The last will of Captain Robert Campbell, as well as the inventory of his estate, show that when he died he was a very wealthy man, according to the standards of that day. The great bulk of his property was left to his children by his first marriage, although he provided very handsomely for his surviving wife, Henrietta Campbell, and her children.

The oldest son was Robert Blair Campbell. It is very unfortunate that so little information is now available respecting this

distinguished son of Marlboro County. He occupied, during the course of his life, many positions of public honor and trust, but none of his descendants now reside in Marlboro County, and it is, therefore, very difficult to obtain those interesting details which would add so much to the history of his career. Nothing is known of his youth or of the schools that he attended. His father, however, being a man of means and alive to the educational needs of his children, probably employed private tutors, and, owing to the great friendship that was known to exist between Donald MacDermid and Robert Campbell, it is not at all unlikely that the former taught the sons of the latter. Robert B. Campbell entered the South Carolina College, which had been recently established, and was graduated from that institution in the class of 1809. Among his classmates were John Lide Wilson and James L. Pettigrew. Among those who attended college at the same time are found those whose names afterwards became distinguished in South Carolina history. Contemporary evidence establish the fact that young Campbell soon began to take an interest in political affairs, and thus we find that in 1821 or 1822 he was elected to the State Senate to succeed Robertson Carlloss. Whether there was a contest between these two men and Campbell proved the victor is not now known. At any rate, before his term expired he was elected as a State's Rights Whig to the Eighteenth Congress, which convened March 4th, 1823. In this connection, an error in the history of Marlboro County, written by Capt J. A. W. Thomas, may be pointed out. It appears in the compilation of the members of the Legislature made by him, that Robert B. Campbell served in the State Senate from 1822 to 1825, when, as a matter of fact, it can hardly be doubted that on the 4th day of March, 1823, Campbell took his seat as a member of Congress. In this connection, it may be noted, that while there is no direct evidence regarding the matter, it can hardly be doubted that up to 1809 the Federalist party controlled the politics of Marlboro County and, perhaps, of this entire section. Furthermore, that the right of suffrage was probably based upon a property qualification and that the management of all political affairs was thus vested in the hands of a small proportion of the entire citizenship. It seems that Mr. Campbell, immediately after his return from college, became an active advocate of a reform and enlargement of the suffrage and that, in a manner characteristic of young men entering public

life, he entertained rather radical views. The predecessor of Mr. Campbell in Congress was Thomas R. Mitchell, of Georgetown. It is not known whether Mr. Campbell defeated Mr. Mitchell, or the latter retired from the office. It is interesting to observe, however, that Mr. Campbell did not succeed himself in Congress, and that Thomas R. Mitchell was elected to the two succeeding Congresses. At the present time it is very seldom that a defeated candidate for Congress is ever re-elected, especially in opposition to the person who brought about his own defeat. It would be very interesting to know whether there were rivalries and contests between Thomas R. Mitchell and Robert B. Campbell, or whether political position in those days came without the sharp and bitter struggles which seem to be necessary to success in this day. Thomas R. Mitchell was himself then succeeded by John Campbell, who was elected to the Twenty-first Congress; and, again, we find Thomas R. Mitchell representing the district in the Twenty-second Congress. In 1830 Robert B. Campbell was elected to the State Senate to succeed James R. Ervin, who had himself been elected to succeed Robert B. Campbell. In 1832 Thomas D. Singleton was elected to the Twenty-third Congress, on the nullification platform. This gentleman was from Williamsburg County and had been Sheriff of his county. He died before Congress assembled and Robert B. Campbell was elected as his successor, also as a nullifier. James R. Ervin, who was a brilliant lawyer and very prominent at this time in Marlboro County, was a strong Federalist and Union man. Robert B. Campbell was re-elected to the Twenty-fourth Congress in 1835. He was then succeeded by his brother, John Campbell, who served in the Twenty-fifth, the Twenty-sixth, the Twenty-seventh and the Twenty-eighth Congresses. It is thus seen that Robert B. Campbell served six years in Congress, from March 4th, 1823, to March 4th, 1825; then, from March 4th, 1833, to March 4th, 1837. His brother, John Campbell, served in all ten years; that is, from March 4th, 1829, to March 4th, 1831; then, from March 4th, 1837, to March 4th, 1845. John Campbell was succeeded by A. D. Simms, of Darlington, who served four years, and then was succeeded by John McQueen, of Bennettsville, S. C. Robert B. Campbell occupied other important public positions. He was appointed Consul General at Habana, Cuba, in 1842. About the year 1851 he was appointed commissioner for the United States Government to aid in settlement of the disputed boundary line

between Texas and Mexico. After this, he was appointed Consul General at Liverpool, or London, England, and he served about eight years in this position, but resigned his office at the opening of the War Between the States and died soon afterward.

Robert B. Campbell first married Miss Mary Anne Lee, of Virginia, who was closely related to the distinguished family bearing that name in that State. It is said that Mrs. Campbell was a first cousin of Gen. Robert E. Lee. The following children were born of this marriage: Robert Campbell, deceased, without issue; Mariah Campbell, who married Thomas ———, deceased, three children survived: Eliza, married Thomas Evans, a son of Judge J. J. Evans, deceased, with three children surviving; Laura Campbell, who married General Palfrey—she and her two children are now deceased; Cecelia, died unmarried; Frank, married Ellen King, and three children survived. Two of Gen. Robert B. Campbell's sons, by his first marriage, served in the Confederate army. After the death of his first wife, General Campbell married, while he was stationed in Habana as Consul General, Caroline Morland, the daughter of John Morland, Esq., residing at that time in Habana. Of this marriage the following children were born: Agnes Morland, Lucia Blair and John Morland. All of these are now living, and the Misses Campbell reside at Summerville, S. C. In the division of his father's estate, General Campbell received Ellerslie, the beautiful plantation which is at this time owned by Mr. William B. Drake.

Col. John Campbell, as he came to be known, also graduated at the South Carolina College in 1819. It is likely that he was a good many years younger than his brother Robert. He studied law and was admitted to the bar. He was first elected to Congress upon the same platform as his brother—that is, as a State's Rights Whig. He married Mrs. Jane Thomas, who was born Jane McQueen, and first married William B. Thomas, the grandson of William Thomas, an immensely wealthy man, who died in 1820, leaving his estate to his two grandsons, both of whom died in their early manhood without leaving children. No children were born of this marriage. Colonel John Campbell died at his home near Parnassus, on the 19th day of May, 1845, which was only a few months after his last term in Congress expired. His widow, Jane Campbell, lived for a great many years after the death of her husband, in Cheraw, South Carolina. In fact, it has been only a few years ago since she died.

Of the daughters of Captain Robert Campbell very little is known. Lucia Campbell is said to have died just after reaching maturity. Mariah married Mr. David G. Coit, of Cheraw, a well known lawyer. After his death, she married James H. McQueen of Richmond County, North Carolina, and lived there until she died, and she was then buried at the old Stewartsville graveyard. Her children by her first marriage were David Coit, James Coit, Lucia Coit, Mariah Coit and Elizabeth Coit. Her children by the last marriage with James H. McQueen were Anna McQueen and Eleanor McQueen. Mariah Campbell, as a beautiful young woman, was well known in Washington society during the time that her brother, Robert B., served in Congress. There, Sam Houston, then youthful and gallant, met her and laid his fortunes at her feet. Tradition tells of the long courting journey by horseback to Marlboro which was in vain. Marlboro people who have read of the brilliant and romantic career of Sam Houston may have never known that he wooed and lost the fair Mariah Campbell.

The foregoing constitutes the brief outline of the facts which have been available respecting this splendid family which once lived in Marlboro County. The charm of manner that was characteristic of General Robert B. Campbell and Colonel John Campbell has lived in tradition and many incidents are related to illustrate the attractiveness and magnetism of their personalities. It is said that, upon one occasion, a gentleman to whom one of the brothers owed an obligation, stated to his business partner that he had not been able to collect it for the reason he always found Mr. Campbell so agreeable and hospitable he could not bring himself to mention the indebtedness to him, whereupon, his partner declared that he would go and collect the sum, and, upon his return, he was asked as to the success of his mission. He stated that he had not only not collected the debt, but had also agreed to a new advancement of several thousand dollars. Another incident that has lived in tradition is too highly creditable to the early patriotism of the gifted Robert B. Campbell to be left out of a sketch of his life. It is stated that when the War of 1812 between America and Great Britain first began, that old Captain Campbell offered to procure a commission for him if he would espouse the cause of the British. To this proposal, so tradition relates, Robert B. Campbell returned the noble answer, "that he was an American citizen and would accept no

employment or honor from the hands of his country's enemies." This incident may not be true, but, at any rate, the patriotism and popularity of Gen. Robert B. Campbell and his brother, Col. John Campbell, can not be doubted when it is recollected that, in spite of their father's record as a British officer, they were again and again elected to the highest positions of honor and trust by the votes of their neighbors and his. It is impossible to realize, at this time, the bitterness and hostility which were engendered by the Revolutionary War between the Whigs and Tories, and, while Captain Campbell was not a Tory, but a British officer, it can not be imagined that his political sentiments and principles aroused anything save the violent hostility of the people who had perhaps frequently suffered loss in their persons and property at the hands of his soldiers. For Gen. Robert Campbell and his brother, Col. John Campbell, to have overcome this prejudice and hostility and to have converted it into the warm friendship and admiration which sent them frequently, as the choice of the people, to the councils of the nation, is the highest evidence that could be offered of the strong position they occupied in this community.

The old family graveyard on Argyle plantation is enclosed with a substantial and durable wall of sandstone, but there is no stone to mark any of the graves. Col. John Campbell directed in his will that stones should be erected, but this was never done. The old club house still stands. Once the center of gaiety and festivity, it is now a tenant house. Though fallen from its proud position as the abode of sport and pleasure, it yet stands in strength and plays its useful part in the practical activities of the more prosaic present. Hard by the club house, and almost within the graveyard enclosure, a majestic oak stands in solitary grandeur, keeping watch and ward over the earthly remains of

NOTE—Since the above sketch was completed, there was pointed out to the writer by William Godfrey, Esq., of Cheraw, S. C., a grave in St. David's Churchyard, which he stated was considered to be the last resting place of Captain Robert Campbell. This grave, immediately to the left as one enters the front gate of St. David's Churchyard, is made of brick and splendidly preserved, though it is unmarked. Mr. Godfrey stated that his information was derived from his grandfather, who was a prominent banker in Cheraw before the Civil War. It is likely, however, that this is the grave of some other British officer bearing the name of Campbell, and not that of Captain Robert Campbell of Marlboro County. As shown above, the Seventy-first Regiment, which was encamped at Cheraw, had several officers named Campbell, and the grave in St. David's perhaps is the last resting place of one of these. The last will of Colonel John Campbell leaves small room to doubt that his father was buried at the old Club House in Marlboro County.

D. D. McCOLL, JR.

the Campbells. The family that now owns Argyle, though strangers in blood to the Campbells, has for generations past, with characteristic fineness of feeling, sacredly guarded and protected this ancient burial spot.

This sketch, brief and inadequate as it is, is intended to preserve, as far as possible, the name and fame of these gentlemen of the olden time whose charm and grace of manner, ability and distinguished gifts, should not be forgotten by posterity.





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